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# PENNSYLVANIA BULLETIN

Volume 32

Number 28

Saturday, July 13, 2002 • Harrisburg, Pa.

Pages 3379—3468

**Agencies in this issue:**

The General Assembly  
The Courts  
Delaware River Basin Commission  
Department of Agriculture  
Department of Banking  
Department of Conservation and Natural Resources  
Department of Environmental Protection  
Department of General Services  
Department of Public Welfare  
Department of Revenue  
Environmental Hearing Board  
Executive Board  
Fish and Boat Commission  
Game Commission  
Housing Finance Agency  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
State Tax Equalization Board

**Detailed list of contents appears inside.**



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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 332, July 2002**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***Pennsylvania Bulletin***

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

*Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2002.

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# THE GENERAL ASSEMBLY

## Recent Actions during the 2002 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2002 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2002 GENERAL ACTS ENACTED—ACT 067 through 073</b>					
067	Jun 25	SB1093	PN1524	60 days	Recorder of deeds—recording armed forces reserves final discharges and reports of separation
068	Jun 25	SB1192	PN1823	immediately	Conveyance—Commonwealth property in Chester County
069	Jun 25	SB1249	PN1621	immediately	John B. Merrill Parkway—designation
070	Jun 25	SB1171	PN1476	immediately	Conveyance—Commonwealth property in Dauphin County
071	Jun 25	SB1184	PN1835	immediately	Conveyance—Commonwealth property in Mercer County
072	Jun 25	SB1248	PN1836	immediately	Conveyance—Commonwealth property in Bucks County
073	Jun 25	SB1383	PN1880	immediately	Project 70 lands—Commonwealth property in Warren County

\* with exceptions

### Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

### Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the Laws of Pennsylvania are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the Laws of Pennsylvania to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, State Records Center Building, 1825 Stanley Drive, Harrisburg, PA 17103, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

CARL L. MEASE,  
Director  
Legislative Reference Bureau

[Pa.B. Doc. No. 02-1193. Filed for public inspection July 12, 2002, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[231 PA. CODE CHS. 1910 AND 1930]

Amendments to the Rules of Civil Procedure Relating to Domestic Relations Matters; No. 368  
Civil Procedural Rules; Doc. No. 5

#### Order

*Per Curiam:*

And Now, this 24th day of June, 2002, Rules 1910.27 and 1930.6 of the Pennsylvania Rules of Civil Procedure are amended as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

**Rule 1910.27. Form of Complaint. Order. Income and Expense Statement. Health Insurance Coverage Information Form. Form of Support Order. Form Petition for Modification.**

\* \* \* \* \*

(b) The order to be attached at the front of the complaint set forth in subdivision (a) shall be in substantially the following form:

\* \* \* \* \*

THE **APPROPRIATE** [ **HEARING** ] COURT OFFICER MAY ENTER AN [ **APPROPRIATE** ] ORDER AGAINST EITHER PARTY BASED UPON THE EVIDENCE PRESENTED WITHOUT REGARD TO WHICH PARTY INITIATED THE SUPPORT ACTION.

\* \* \* \* \*

(g) The order to be attached at the front of the petition for modification set forth in subdivision (f) shall be in substantially the following form:

\* \* \* \* \*

THE [ **HEARING** ] **APPROPRIATE** COURT OFFICER MAY MODIFY OR TERMINATE THE EXISTING ORDER IN ANY [ **APPROPRIATE** ] MANNER BASED UPON THE EVIDENCE PRESENTED.

\* \* \* \* \*

#### CHAPTER 1930. RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY

**Rule 1930.6. Paternity Actions.**

\* \* \* \* \*

(b) *Venue*. An action may be brought only in the county in which the [ **plaintiff** ] **defendant** or the child(ren) reside.

\* \* \* \* \*

[Pa.B. Doc. No. 02-1194. Filed for public inspection July 12, 2002, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### DELAWARE COUNTY

Local Rule 107; Misc. Doc. No. 00-3708

#### Order

And Now, this 18th day of June, 2002, pursuant to action of the Board of Judges, the within Local Rule 107 addressing automated subpoenas is adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court:*

KENNETH A. CLOUSE,  
*President Judge*

#### Local Rule 107

The District Attorney's Office and the Office of the Public Defender have adopted an automation program for case management which will create and track subpoenas. Subpoenas which contain an electronic signature of the Director of the Office of Judicial Support and a blue ink seal shall have the same force and effect as subpoenas containing an original ink signature and pressed seal.

[Pa.B. Doc. No. 02-1195. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Shirley A. Hoak having been disbarred from the practice of law in the Commonwealth of Massachusetts by Order dated July 31, 2001, the Supreme Court of Pennsylvania issued an Order on June 24, 2002, disbaring Shirley A. Hoak from the Bar of this Commonwealth, effective July 24, 2002. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director and Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 02-1196. Filed for public inspection July 12, 2002, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

### ENVIRONMENTAL HEARING BOARD

[25 PA. CODE CH. 1021]

#### Practice and Procedure

Amendments to Chapter 1021 (relating to practice and procedure) were published at 32 Pa.B. 3085 (June 29, 2002). The following Table of Contents and Cross-Reference Table refer to that rulemaking.

#### TITLE 25. ENVIRONMENTAL PROTECTION

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# Title 58—RECREATION

## GAME COMMISSION [58 PA. CODE CH. 139] Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its April 9, 2002, meeting, adopted the following changes:

Amend § 139.4 (relating to seasons and bag limits for the license year) to provide dates for the 2002-2003 hunting license year.

These final-form amendments were adopted under the authority of 34 Pa.C.S. (relating to the Game and Wildlife Code) (code).

### 1. Introduction

The Commission, at its January 15, 2002, meeting proposed, and at its April 9, 2002, meeting finally adopted, amending § 139.4 to provide for seasons and bag limits for the 2002-2003 license year. See 32 Pa.B. 1401 (March 16, 2001). These seasons and bag limits were adopted under the provisions of sections 322(c)(1) and 2102(b)(1) of code (relating to powers and duties of commission; and regulations). Major changes for the 2002-2003 year include a new ringneck pheasant season for eligible junior hunters only; an antler size restriction on antlered deer; and a separate additional bear season for the Counties of Carbon, Monroe and Pike.

### 2. Purpose and Authority

The Commission is required to set hunting and furtaking seasons and bag limits on an annual basis. Section 322(c) of the code specifically empowers the Commission to "... fix seasons ... and daily season and possession limits for any species of game or wildlife." Section 2102(b) of the code mandates that the Commission promulgate regulations relating to seasons and bag limits.

Major changes that have been finally adopted for the 2002-2003 season are primarily intended to increase the hunting opportunities for eligible junior hunters, decrease the harvest of antlered deer while encouraging the harvest of antlerless deer and decrease the amount of damage caused by bears in the counties of Carbon, Monroe and Pike. Major changes are as follows:

a. A concurrent antlered and antlerless deer season will continue to encourage the harvesting of antlerless deer while a size limitation on the antlers of antlered deer that can be legally harvested should discourage the harvesting of antlered deer, except in the special regulations areas, junior hunters, disabled hunters with a permit to use a vehicle and residents serving on active military duty or in the United States Coast Guard who will be able to remain with the current antler restriction with two or more points to one antler or with one antler 3 inches or more in length.

b. There will be an early muzzleloader season, which will allow the use of any muzzleloading long gun.

c. Junior hunters will be given increased opportunities by way of a separate ringneck pheasant hunting season.

d. There will be an additional separate 6 day bear season in Carbon, Monroe and Pike Counties to try to reduce the population and, as a result, the damage caused by bears.

e. A week has been added to the fall turkey season in Turkey Management Area #7-A.

### 3. Regulatory Requirements

The final-form seasons and bag limits would establish when and where it is lawful to hunt and trap various game species and place limits on the numbers that can be legally taken.

### 4. Persons Affected

Persons wishing to hunt and trap in this Commonwealth would be affected by the seasons and bag limits.

### 5. Comment and Response Summary

A total of 405 official comments were received with regard to the concurrent antlered/antlerless season. Those supporting pointed out that concurrent seasons allowed them to make more efficient use of their time afield; felt it would lead to improved management of this Commonwealth's deer herd; and enabled them to put venison on the family table. Those opposing ranked safety concerns as the top reason. Many described being afield in the 2001-2002 concurrent season and witnessing uncontrolled shooting; many deer being left in the field as a result of shots not being followed up and cases of outrageous, unsportsmanlike conduct.

A total of 100 official comments were received with regard to the use of any long gun in the early muzzleloading season. Those supporting pointed out that inlines and percussion long guns are more efficient methods of taking antlerless deer. Those opposing said that this adoption would erode the long-standing tradition of flintlock muzzleloading deer hunting in this Commonwealth.

A total of 262 official comments were received with regard to the junior license holder being able to use his general license to take an antlered or antlerless deer. Those supporting felt this expanded opportunity would help to recruit and retain new, young hunters. Those opposing noted concerns with unregulated antlerless harvest; the view that adults would do the shooting and use youngster's general tag; that this liberal approach would not teach youngsters the important lessons of patience and required hunting skills.

No official comments were received with regard to the remaining final-form amendments.

### 6. Cost and Paperwork Requirements

The final-form new seasons and bag limits would not result in any additional cost either to the Commission or to hunters and furtakers.

### 7. Effective Date

The final-form amendments will be effective from July 1, 2002, to June 30, 2003.

### 8. Contact Person

For further information regarding the final-form amendments, contact David E. Overcash, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

### Findings

The Game Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under authorizing statute, orders that:

(A) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by amending § 139.4 to read as set forth in Annex A.

(B) The Executive Director of the Commission shall submit this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(C) This order shall become effective upon final publication in the *Pennsylvania Bulletin* and apply retroactively to July 1, 2002.

VERNON R. ROSS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-138 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 139. SEASONS AND BAG LIMITS**

**§ 139.4. Seasons and bag limits for the license year.**

**(SEASONS AND BAG LIMITS TABLE)**

**2002-2003 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT, FIELD POSSESSION LIMIT AND SEASON LIMIT OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Squirrels—(Combined species) Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 12	Oct. 14	6	12
Squirrels—(Combined species)	Oct. 19	Nov. 30	6	12
	Dec. 16	and Dec. 24		
	Dec. 26	and Feb. 8, 2003		
Ruffed Grouse—(Statewide)	Oct. 19	Nov. 30	2	4
	Dec. 16	and Dec. 24		
	Dec. 26	and Jan. 11, 2003		
Ruffed Grouse—There is no open season for taking ruffed grouse in that portion of State Game Lands No. 176 in Centre County which is posted "RESEARCH AREA—NO GROUSE HUNTING"				
Rabbits, Cottontail	Nov. 2	Nov. 30	4	8
	Dec. 16	and Dec. 24		
	Dec. 26	and Feb. 8, 2003		
Ringneck Pheasant— Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 12	Oct. 14	2	2
Ringneck Pheasant—Male only	Nov. 2	Nov. 30	2	4
Ringneck Pheasant—Male or female combined when hunting in designated hen shooting area	Nov. 2	Nov. 30	2	4
	Dec. 16	and Dec. 24		
	Dec. 26	and Feb. 8, 2003		



<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Bobwhite Quail—The hunting and taking of bobwhite quail is permitted in all counties except Adams, Chester, Cumberland, Dauphin, Delaware, Franklin, Fulton, Juniata, Lancaster, Lebanon, Perry, Snyder and York where the season is closed.	Nov. 2	Nov. 30	4	8
Hares (Snowshoe Rabbits) or Varying Hares	Dec. 26	Jan. 1, 2003	1	2
Woodchucks (Groundhog)	No closed season except during the antlered and antlerless deer season and until 12 noon daily during the spring gobbler turkey season			Unlimited

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Turkey—Male or Female			1	1
Management Areas #1-A, 2, 3, 4, 5, 6, 7-A & 8	Nov. 2	Nov. 23		
Management Area #1-B	Nov. 2	Nov. 16		
Management Area #7-B	Nov. 4	Nov. 9		
Management Area #9-A	Closed to fall turkey hunting			
Management Area #9-B	Nov. 2	Nov. 9		
Turkey (Spring Gobbler) Statewide Bearded Bird only	April 26, 2003	May 24, 2003	1	1

#### MIGRATORY GAME BIRDS

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—711) as published in the Federal Register on or about August 27 and September 28 of each year. Exceptions:

- (a) Hunting hours in § 141.4 (relating to hunting hours).
- (b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.
- (c) Subject to approval by the United States Fish and Wildlife Service, an early and late season for Canada geese will be held as defined in § 141.25.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Crows (Hunting permitted on Friday, Saturday and Sunday only)	July 5	Dec. 1		Unlimited
	Dec. 27	and April 6, 2003		
Starlings and English Sparrows	No closed season except during the antlered and antlerless deer seasons and until 12 noon daily during the spring gobbler turkey season			Unlimited

#### FALCONRY

Squirrels—(Combined species)	Sept. 1	Mar. 31, 2003	6	12
Quail	Sept. 1	Mar. 31, 2003	4	8
Ruffed Grouse	Sept. 1	Mar. 31, 2003	2	4
Cottontail Rabbits	Sept. 1	Mar. 31, 2003	4	8
Snowshoe or Varying Hare	Sept. 1	Mar. 31, 2003	1	2
Ringneck Pheasant—Male and Female—(Combined)	Sept. 1	Mar. 31, 2003	2	4

Migratory Game Birds—Seasons and bag limits shall be in accordance with Federal regulations.

**DEER**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>	<i>Field Possession Limit</i>
Deer, Antlered—(Statewide) (Archery—Bows and Arrows Only)	Oct. 5	Nov. 16	1	One antlered. <sup>1</sup>
	Dec. 26	and Jan. 11, 2003		
Deer, Antlerless—(Statewide) (Archery—Bows and Arrows Only)	Oct. 5	Nov. 16		An antlerless deer with each required antlerless license.
	Dec. 26	and Jan. 11, 2003		
Deer, Regular Antlered—(Statewide)	Dec. 2	Dec. 14	1	One antlered. <sup>1</sup>
Deer, Antlerless only—(Statewide) Only Junior and Senior License Holders, <sup>2</sup> Disabled Person Permit (to use a vehicle) Holders and Residents serving on active duty in the U.S. Armed Forces, or in the U. S. Coast Guard, with required antlerless license	Oct. 24	Oct. 26		An antlerless deer with each required antlerless license.
Deer, Regular Antlerless—(Statewide)	Dec. 2	Dec. 14		An antlerless deer with each required antlerless license.
Deer, Antlerless only—(Statewide) (Any muzzleloading long gun) <sup>5</sup>	Oct. 19	Oct. 26		An antlerless deer with each required antlerless license.
Deer, Antlered or Antlerless—(Statewide) (Flintlock Muzzleloading firearms only)	Dec. 26	Jan. 11, 2003		One antlered, or <sup>1</sup> one antlerless-plus an additional antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County and New Cumberland Army Depot, York County and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.			An antlerless deer with each required antlerless license.

**SPECIAL REGULATIONS AREAS  
SOUTHEASTERN PENNSYLVANIA AND ALLEGHENY COUNTY**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>	<i>Field Possession Limit</i>
Deer, Antlered (Archery—Bows and Arrows Only) <sup>6</sup>	Oct. 5	Nov. 16	1	One antlered. <sup>1</sup>
	Dec. 26	and Jan. 11, 2003		
Deer, Antlerless (Archery—Bows and Arrows Only) <sup>6</sup>	Oct. 5	Nov. 16		An antlerless deer with each required antlerless license.
	Dec. 26	and Jan. 11, 2003		
Deer, Regular Antlered	Dec. 2	Dec. 14	1	One antlered. <sup>1</sup>
Deer, Regular Antlerless	Dec. 2	Dec. 14		An antlerless deer with each required antlerless license.
	Dec. 26	and Jan. 11, 2003		

**BEAR**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Bear, any age—(Statewide)	Nov. 25	Nov. 27	1	1 <sup>4</sup>
Bear, any age (Carbon, Monroe and Pike Counties)	Dec. 2	Dec. 7	1	1 <sup>4</sup>

**ELK**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Elk, Antlered	Nov. 18	Nov. 23	1	1
Elk, Antlerless	Nov. 18	Nov. 23	1	1

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
<b>FUR TAKING—TRAPPING</b>				
Minks and Muskrats—(Statewide)	Nov. 23	Jan. 11, 2003		Unlimited
Beaver—(Statewide)	Dec. 26	Mar. 31, 2003		
Zones 1 & 2 (except McKean, Potter and Tioga Counties)			20	20
Zone 2 McKean, Potter and Tioga Counties			20	40
Zone 3			20	40
Zones 4 & 5			10	10
Zone 6			6	6
Coyotes, Foxes, Opossums, Raccoons, Skunks, Weasels—(Statewide)	Oct. 20	Feb. 22, 2003		Unlimited
Bobcat (Zones 2 & 3) <sup>3</sup>	Oct. 20	Feb. 22, 2003	1	1

**FUR TAKING—HUNTING**

<i>Species</i>	<i>Limit</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyotes—(Statewide)		No closed season. Coyotes may be taken from the first day to the last day inclusive of any deer or bear season only by persons who possess a valid furtaker's license and wears 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined visible in a 360° arc from 2 hours before sunrise to 2 hours after sunset or by persons lawfully engaged in hunting deer or bear and have a valid tag, or during the spring gobbler turkey season by persons who have a valid spring turkey tag and meet fluorescent orange and shot size requirements.			Unlimited
Opossums, Skunks, Weasels—(Statewide)		No closed season. These species may not be hunted prior to 12 noon during the spring gobbler turkey season.			
Raccoons and Foxes—(Statewide)		Oct. 19	Feb. 22, 2003		Unlimited
Bobcat (Zones 2 & 3) <sup>3</sup>		Oct. 19	Feb. 22, 2003	1	1

No open seasons on other wild birds or wild mammals.

<sup>1</sup>Only one antlered deer (buck) may be taken during the hunting license year.

<sup>2</sup>Includes persons who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

<sup>3</sup>Bobcat may only be taken by furtakers in possession of a Bobcat Hunting-Trapping Permit.

<sup>4</sup>Only one bear may be taken during the hunting license year.

<sup>5</sup>Subject to the provisions of § 141.43 (relating to deer).

<sup>6</sup>Unless regulations are changed to allow the use of crossbows.

[Pa.B. Doc. No. 02-1198. Filed for public inspection July 12, 2002, 9:00 a.m.]

## Title 61—REVENUE

### DEPARTMENT OF REVENUE

#### [61 PA. CODE CH. 871]

#### Powerball

In accordance with 61 Pa. Code § 871.21 (relating to future changes to Powerball), the Secretary of Revenue

(Secretary) announces the following changes to the Powerball regulations.

The Secretary, having determined that it is impractical and contrary to the public interest to defer the effective date of this document until deposit of the issue of the *Pennsylvania Bulletin* containing the document in the United States mail, has given actual knowledge of the document to the persons to whom the document is primarily directed in accordance with 1 Pa. Code § 13.74

(relating to effectiveness prior to publication) by press release dated July 5, 2002, of the following changes to the Powerball regulations.

These changes will affect ticket sales beginning on Sunday, October 6, 2002, for the Powerball drawing on Wednesday, October 9, 2002. The changes to the regulation will be codified as paragraph (1) in § 871.22 (relating to changes to Powerball):

(1) Changes effective for Powerball tickets sold on or after October 6, 2002:

(i) Section 871.2 (relating to game description and purpose). Powerball is a five out of 53 plus one out of 42 on-line lottery game.

(ii) Section 871.9(e) (relating to Powerball prize payments). All annuitized prizes shall be paid in 30 annual payments with the initial payment being made in cash, to be followed by 29 equal annual payments funded by the annuity. The initial payment of an annuitized prize may be made by the Lottery upon validation of the winning ticket.

(iii) Section 871.15 (relating to unclaimed prize money). Unclaimed grand prize and new bonus prize funds will be distributed among all MUSL Lotteries in proportion to each lottery's sales for the grand prize drawing.

(iv) Section 871.19 (relating to probability of winning). The probability of winning is as follows:

*Tickets Containing The Following,  
In One Single Lettered Game Section*

Five first set numbers and the Powerball number  
Five first set numbers  
Four first set numbers and the Powerball number  
Four first set numbers  
Three first set numbers and the Powerball number  
Three first set numbers  
Two first set numbers and the Powerball number  
One first set number and the Powerball number  
The Powerball number

<i>Prize Category</i>	<i>Probability of Winning per Play</i>
Grand Prize	1:120,526,770
Second Prize	1:2,939,677.317073
Third Prize	1:502,194.875000
Fourth Prize	1:12,248.655488
Fifth Prize	1:10,684.997340
Sixth Prize	1:260.609691
Seventh Prize	1:696.847653
Eighth Prize	1:123.884027
Ninth Prize	1:70.388652

(v) Section 871.20(c) and (j) (relating to power play promotion). A player may purchase the power play option for the chance to multiply set prizes won as a result of the Powerball drawing by a number ranging from 2 to 5. The power play number will be selected from among the following series of numbers: 2, 2, 2, 3, 3, 3, 4, 4, 4, 5, 5, 5, 5 and 5. Except as otherwise provided, all power play set prizes shall be paid in single, lump-sum payments determined by multiplying the Powerball set prize by the number selected in the power play drawing as follows:

<i>Prize Level</i>	<i>Powerball Set Prize Amount</i>		<i>Power Play Multiplier and Set Prize Amount</i>			
		<i>5</i>	<i>4</i>	<i>3</i>	<i>2</i>	
Second Prize	\$100,000	\$500,000	\$400,000	\$300,000	\$200,000	
Third Prize	\$5,000	\$25,000	\$20,000	\$15,000	\$10,000	
Fourth Prize	\$100	\$500	\$400	\$300	\$200	
Fifth Prize	\$100	\$500	\$400	\$300	\$200	
Sixth Prize	\$7	\$35	\$28	\$21	\$14	
Seventh Prize	\$7	\$35	\$28	\$21	\$14	
Eighth Prize	\$4	\$20	\$16	\$12	\$8	
Ninth Prize	\$3	\$15	\$12	\$9	\$6	

(vi) New bonus prize.

(A) When the Powerball jackpot is projected to reach a new high annuitized level, the amount of the jackpot prize will be limited, by rule, to increases for each draw of no more than \$25 million (annuitized). The prize money collected in excess of the advertised jackpot amount, if any, will be placed into a bonus prize pool and will accumulate until there is a grand prize winner. When there is a grand prize winner, the bonus prize pool will be divided equally among all winners of the second prize. This bonus prize will be paid in one cash lump sum. If there are no second prize winners, the prize pool shall be divided equally among the winners in the next lower prize tier with winners.

(B) There may be times when the second prize will be increased from its current set amount of \$100,000 to a higher amount. In those cases, the second prize may be increased to \$1 million or more. The actual amount of the

prize will depend upon the cash available in the new bonus prize pool and the number of prize winners as set forth in clause (A). The trigger jackpot level will naturally increase over time as the new high annuitized jackpot amount continues to climb.

(C) The new bonus prize is in addition to any power play prizes that may be won. The new bonus prize is awarded independent of the power play option, and is not multiplied by the power play multiplier. A bonus prize winner who also played the power play option will win the original set prize amounts; the amount paid under the power play multiplier option; and the new bonus prize (if effective).

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 02-1199. Filed for public inspection July 12, 2002, 9:00 a.m.]

# PROPOSED RULEMAKING

## INSURANCE DEPARTMENT

[31 PA. CODE CH. 165]

### Workers' Compensation Security Fund

The Insurance Department (Department) proposes to add Chapter 165 (relating to Workers' Compensation Security Fund) to read as set forth in Annex A. The proposal is made under the authority of sections 205, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412) and the Workers Compensation Security Fund Act (77 P. S. §§ 1051—1066).

The purpose of this proposed rulemaking is to administer the Workers Compensation Security Fund (Fund) Act and to establish how contributions are to be made to the Fund. This original statute was adopted in 1937 and amended in 2000 to establish standards for the administration of the Fund.

#### *Explanation of Proposed Rulemaking*

Section 165.1 (relating to purpose) establishes the purpose of the chapter.

Section 165.2 (relating to scope) establishes the scope of the chapter.

Section 165.3 (relating to applicability) establishes the applicability of the chapter.

Section 165.4 (relating to definitions) defines the terms to be used throughout the chapter unless the context requires otherwise.

Section 165.5 (relating to administration) determines the process utilized to administer the Fund and secure actuarial services.

Section 165.6 (relating to amount of Fund) establishes the formula to be used in calculating the assessment to bring the fund to the minimum amount necessary to ensure a \$500 million fund balance. This formula includes liabilities for the next year, the expenses to administer the fund for the next year and takes into account investment earnings of the fund.

Section 165.7 (relating to assessment) establishes how the contributions shall be made to the Fund and how the Fund shall be administered.

Section 165.8 (relating to failure to comply) establishes the penalties for failing to comply.

#### *Fiscal Impact*

##### *State Government*

There will be no increase in cost to the Department due to the adoption of the proposed rulemaking.

##### *General Public*

The adoption of the proposed rulemaking will not impose additional costs on the general public.

##### *Political Subdivisions*

The adoption of the proposed rulemaking will not impose additional costs on political subdivisions.

##### *Private Sector*

The proposed rulemaking may result in a savings of \$1 million to the private sector (insurance industry) over a 5-year period.

#### *Paperwork*

The proposed rulemaking will not result in additional paperwork requirement on the Department.

#### *Effectiveness/Sunset Date*

The proposed rulemaking will become effective upon final publication in the *Pennsylvania Bulletin* as a final-form regulation. No sunset date has been assigned.

#### *Contact Person*

Questions or comments regarding the proposed rulemaking may be addressed in writing to Peter J. Salvatore, Regulatory Coordinator, Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120, within 30 days following the publication of this notice in the *Pennsylvania Bulletin*. Questions and comments may also be e-mailed to psalvatore@state.pa.us or faxed to (717) 772-1969.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 2, 2002, the Department submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Banking and Insurance Committee and the House Insurance Committee. In addition to the submitted proposed rulemaking, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of that material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed rulemaking, it will notify the Department within 10 days after the close of the Committees' review. The notification shall specify the regulatory review criteria that have not been met by that portion. The Regulatory Review Act specifies detailed procedures for the Department, the Governor and the General Assembly to review these objections before final publication of the regulations.

M. DIANE KOKEN,  
*Insurance Commissioner*

**Fiscal Note:** 11-210. No fiscal impact; (8) recommends adoption.

#### **Annex A**

### **TITLE 31. INSURANCE**

### **PART III. MISCELLANEOUS PROVISIONS**

### **CHAPTER 165. WORKERS' COMPENSATION SECURITY FUND**

Sec.	Purpose.
165.1.	Scope.
165.2.	Applicability.
165.3.	Definitions.
165.4.	Administration.
165.5.	Amount of Fund.
165.6.	Assessment.
165.7.	Failure to comply.

#### **§ 165.1. Purpose.**

The purpose of this chapter is to:

- (1) Establish how contributions are made to the Fund.
- (2) Ensure that a person, entitled to workers' compensation payments from insolvent carriers, will still have a source of funds on which to draw those payments.

**§ 165.2. Scope.**

This chapter establishes the minimum Fund amount and when contributions are necessary.

**§ 165.3. Applicability.**

This chapter applies to carriers doing the business of workers' compensation insurance in this Commonwealth.

**§ 165.4. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context indicates otherwise:

*Act*—The Workers Compensation Security Fund Act (77 P. S. §§ 1051—1066).

*Carrier*—As defined in section 2 of the act (77 P. S. § 1052).

*Certificate of authority*—As required by section 208 of The Insurance Department Act of 1921 (40 P. S. § 46).

*Commissioner*—The Insurance Commissioner of the Commonwealth.

*Department*—The Insurance Department of the Commonwealth.

*Fund*—As defined in section 2 of the act.

**§ 165.5. Administration.**

The Fund may secure, using Commonwealth procurement standards:

(1) A third party administrator to perform claim assessment and handling, and administrative duties and responsibilities.

(2) Actuarial services to provide an annual liability report and to do the analysis described in § 165.6 (relating to amount of fund) to determine the assessment.

**§ 165.6. Amount of Fund.**

(a) A minimum balance of \$500 million shall be maintained in the Fund.

(b) If, due to the payment of liabilities or claims, the balance of the Fund is reduced below \$500 million, the Department, in order to return the Fund to the \$500 million level, will require contributions sufficient to fund:

(1) The current shortage below \$500 million.

(2) Plus the expected payment of liabilities for the next calendar year.

(3) Plus expenses to administer the Fund for the next calendar year.

(4) Less expected investment earnings on the Fund balance during the next calendar year.

**§ 165.7. Assessment.**

(a) The amount of an assessment will be determined by using the actuarial services described in § 165.5 (relating to administration).

(b) Every carrier, doing the business of workers' compensation insurance in this Commonwealth, will be assessed, based on a prorata share of the total amount of net-written premiums of workers' compensation insurance reported as written in the previous calendar year's annual statement.

(c) The assessment, when necessary, will be billed by December 31 of the year subsequently used in the actuarial study.

(d) Payment of the assessment, when applicable, is due by March 31 of the year following the assessment.

**§ 165.8. Failure to comply.**

(a) If a carrier fails to file a return, or make any payment required by the act, or in case the Commissioner has cause to believe that a return or other statement filed is false or inaccurate in any particular, or that a payment made is incorrect, the Commissioner has full authority to examine all the books and records of the carrier for the purpose of ascertaining the facts and determine the correct amount to be paid. The Commissioner may proceed in any court of competent jurisdiction to recover for the benefit of the Fund any sums shown to be due upon the examination and determination.

(b) A carrier that fails to make a statement as required by the act, or to pay any contribution when due, thereby forfeits to the Fund a penalty of 5% of the amount of unpaid contribution determined to be due, as provided by the act, plus 1% of the amount for each month of delay or fraction thereof after the expiration of the first month of the delay.

(c) The Commissioner will revoke the certificate of authority to do business in this Commonwealth of a carrier which fails to comply with the act or to pay a penalty imposed in accordance with the act.

[Pa.B. Doc. No. 02-1200. Filed for public inspection July 12, 2002, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [4 PA. CODE CH. 9]

#### Reorganization of the Department of Community and Economic Development

The Executive Board approved a reorganization of the Department of Community and Economic Development effective June 17, 2002.

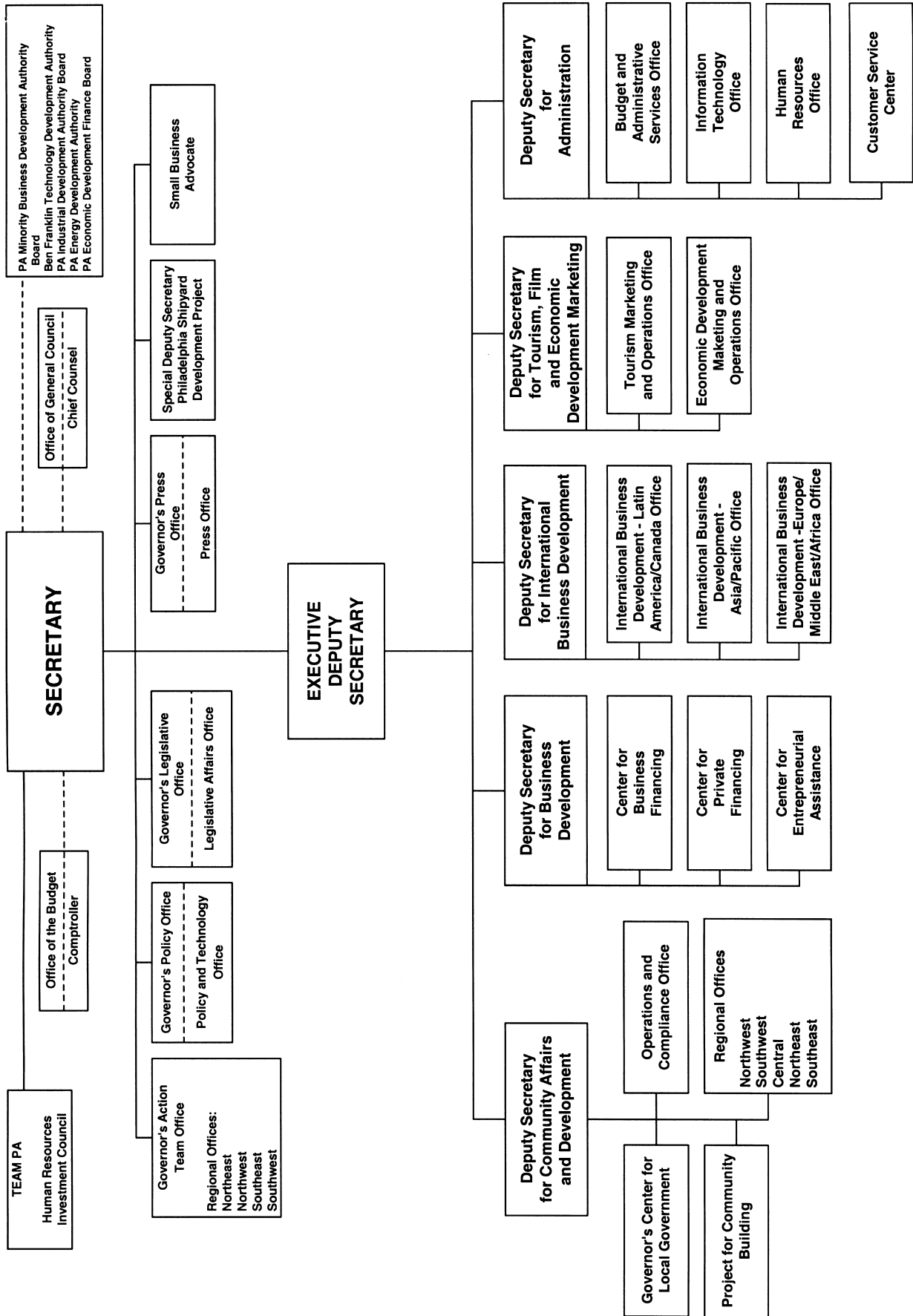
The organization chart at 32 Pa.B. 3401 (July 13, 2002) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 02-1201. Filed for public inspection July 12, 2002, 9:00 a.m.]

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## COMMUNITY AND ECONOMIC DEVELOPMENT





# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, July 17, 2002. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission offices at 25 State Police Drive, West Trenton, NJ.

The conference among the Commissioners and staff will begin at 10 a.m. Topics of discussion will include an update on the Comprehensive Plan (CP); reports on the PCB TMDL development effort; a report on the development of water quality criteria for toxic pollutants; a report on the Flow Management Technical Advisory Committee meeting of June 25, 2002; and an update on Flood Advisory Committee activities.

The subjects of the public hearing to be held during the 1 p.m. business meeting include, in addition to the following dockets: a resolution amending Docket D-77-20 CP (Revision 5); a resolution amending Docket D-77-110 CP by the addition of a "Designated Unit" to Table A (Revised); and a resolution concerning the declaration of drought emergency issued by the Commission on December 18, 2001.

The dockets scheduled for public hearing are as follows:

1. *Holdover Project: Mercer County Improvement Authority D-99-28 CP*. A project to construct a surface water intake on Assunpink Creek at Mercer Lake to withdraw 2.6 million gallons per day (mgd) of water. The new intake, in addition to an existing intake that can provide 1.3 mgd, will irrigate the applicant's Mercer Oaks II Golf Course located in West Windsor Township, Mercer County, NJ.

2. *Conshohocken Borough Authority D-2001-59 CP*. A project to reroute a 2.3 mgd sewage treatment plant (STP) to treat 2.35 mgd on an average monthly basis and up to 3 mgd as a maximum monthly flow. The STP will continue to provide high quality secondary treatment and discharge to the Schuylkill River through the existing outfall. The project is located at Elm and Jones Streets in Conshohocken Borough, Montgomery County, PA. The plant will continue to serve Conshohocken Borough, plus portions of Whitemarsh and Plymouth Townships, all within Montgomery County.

3. *Newark Country Club D-2002-12*. A groundwater withdrawal project to supply up to 2.1 mg/30 days of water to the applicant's golf course from new Well No. 5 in the Christianstead Gneiss Formation, and to increase the existing withdrawal from all wells to 5.0 mg/30 days. The project is located in the Christina River and White Clay Creek watersheds in the City of Newark, New Castle County, DE.

4. *Bidermann Golf Club D-2002-13*. A groundwater withdrawal project to supply up to 0.864 mg/30 days of water to the applicant's golf course from new Well No. 5 in the Wissahickon Formation, and to increase the existing withdrawal from all sources to 15.8 mg/30 days. The project is located in the Brandywine Creek watershed in the City of Wilmington, New Castle County, DE.

5. *Town of Roxbury D-2002-14 CP*. A project to withdraw up to 12.6 mg/30 days from new Well No. 1 and existing Well No. 2, both in the Catskill Formation and to export 0.3 mgd of water, half in the form of raw sewage from failing onlot systems and half as ground water supply, from the Hamlet of Roxbury in the Delaware River Basin to the Hamlet of Grand Gorge in the Mohawk-Hudson River Basin. Both hamlets are located in the Town of Roxbury, Delaware County, NY. The groundwater withdrawal is proposed for use in both the Town of Roxbury and the Town of Grand Forge. The raw sewage will be conveyed by means of force main to the existing NYCDEP Grand Gorge Sewage Treatment Plant located off State Route 23, and following treatment will be discharged to adjacent Bear Creek.

6. *Fifer Orchards, Inc. D-2002-20*. A groundwater withdrawal project to supply up to 51.45 mg/30 days of water to the applicant's orchard from new Wells Nos. 6 and 7, in the Columbia/Choptank and Columbia Formations, respectively, and to limit the existing withdrawal from all sources to 543 mg/30 days. The project is located in the St. Jones River watershed in the City of Wyoming, Kent County, DE.

In addition to the public hearing items, the Commission will address the following at its 1 p.m. business meeting: minutes of the May 31, 2002, business meeting; announcements; a report on Basin hydrologic conditions; a report by the Executive Director; and a report by the Commission's General Counsel, including consideration by the Commission of an agreement reached by the Petitioners in the appeal of Docket No. D-98-11 CP of the Pennsylvania Suburban Water Company (the Cornog Quarry project). The meeting will end with an opportunity for public dialogue.

Documents relating to the dockets and other items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Contact Thomas L. Brand at (609) 883-9500 ext. 221 with any docket-related questions. Persons wishing to testify at this hearing are requested to register in advance with the Commission Secretary at (609) 883-9500 ext. 203.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the hearing should contact the Commission Secretary at (609) 883-9500 ext. 203 or through the New Jersey Relay Service at (800) 852-7899 (TTY), to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 02-1202. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) intends to award up to \$200,000 in grants under its Year 2003 Dog Control Facility Bill Reimbursement Program (Program).

The Program will award bill reimbursement grants of up to \$10,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are hereby declared to be "surplus" funds for the limited purposes set forth in the Dog Law (3 P. S. §§ 459-101—459-551).

The proposed guidelines and conditions for the Program are set forth as follows. These proposed guidelines and conditions are substantively identical to the guidelines and conditions for "Year 2002 Dog Control Facility Bill Reimbursement Grant Program," published at 31 Pa.B. 4545 (August 18, 2001), with three exceptions: (1) the total amount of grant funds available has increased to \$200,000 (up from \$175,000 in 2002); (2) the maximum per-recipient grant amount has been raised to \$10,000 (up from \$7,500 in 2002); and (3) the eligibility criteria have been expanded to allow a grant applicant to have a maximum total operating budget of up to \$350,000 (up from \$250,000 in 2002).

In fulfillment in 7 Pa. Code § 23.4 (relating to guidelines and conditions), the Department invites public and legislative review of these proposed guidelines and conditions. Commentators should submit their comments, in writing, so they are received by the Department no later than 30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to Richard Hess, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

The Department will review and consider all written comments in preparing the final guidelines and conditions for the Program. The final guidelines and conditions for the Program will be published in the *Pennsylvania Bulletin* after the close of the comment period referenced. The Department will invite the submission of grant applications at that time.

#### **Proposed Guidelines and Conditions for the Year 2003 Dog Control Facility Bill Reimbursement Grant Program**

##### **1. Definitions.**

The following words and terms, when used in these guidelines and conditions, have the following meanings:

*Department*—The Department of Agriculture.

*Dog control*—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in the Dog Law.

*Eligible Bill*—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery.
- iv. If for services, a description of the nature of the services and the dates upon which the services were rendered.
- v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

- vi. The name, address and telephone number of the entity issuing the document.

*Humane society or association for the prevention of cruelty to animals*—A nonprofit society or association duly incorporated under 15 Pa.C.S. §§ 5301—5311 (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in Section 102 of the Dog Law (3 P. S. § 459-102).

*Program*—The Year 2003 Dog Control Facility Bill Reimbursement Program.

##### **2. Eligibility.**

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the Program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.
- b. Has performed dog control functions for at least 1 year immediately preceding the application date.
- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.
- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2003.
- e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities through the year 2003.
- f. Has a total operating budget of \$350,000 or less for the 2003 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$350,000 or less for each fiscal year comprising any portion of calendar year 2003.

##### **3. Use of Grant Funds.**

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement and will not exceed \$10,000 with respect to any application. The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2003, through December 31, 2003. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2003, or after December 31, 2003, that bill is not an eligible bill and will not be reimbursed by the Department under the Program.

##### **4. Application Process.**

- a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the Program must complete a written application form and deliver it to the Department no later than 30 days from the date this notice is published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Richard Hess, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4833, fax: (717) 772-4352.

c. *Contents of grant application form.* A grant application form shall require the following information:

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.
- iii. The maximum grant amount sought by the applicant—not to exceed \$10,000.
- iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2002 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.

v. Other information as the Department might reasonably require.

5. *Review and approval of grant application.*

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 60 days from the date this notice is published in the *Pennsylvania Bulletin*, to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation in order to evaluate the grant request, it will so advise the applicant.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.
- iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.
- iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

6. *Grant agreement.*

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions under which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By May 15, 2003, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1, 2003, and April 30, 2003; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By September 15, 2003, the grant recipient will: (1) deliver copies of the eligible bills it has paid between May 1, 2003, and August 31, 2003; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By January 15, 2004, the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1, 2003, and December 31, 2003; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 60 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

SAMUEL E. HAYES, Jr.,  
Secretary

[Pa.B. Doc. No. 02-1203. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 2, 2002.

**BANKING INSTITUTIONS****Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-24-02	Orrstown Bank Orrstown Franklin County	2250 Spring Road Carlisle North Middleton Township Cumberland County	Opened
6-25-02	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	202 West Ridge Pike Conshohocken Montgomery County	Filed

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
6-28-02	Orrstown Bank Orrstown Franklin County	Amendment to Article Two provides for a change in the principal place of business  <i>From:</i> 3580 Orrstown Road Orrstown Franklin County  <i>To:</i> 77 East King Street Shippensburg Cumberland County	Approved and Effective
6-28-02	Pennsylvania State Bank Camp Hill Cumberland County	Amendment to Article Third provides for the elimination of trust powers.	Approved and Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

FRANCES A. BEDEKOVIC,  
*Acting Secretary*

[Pa.B. Doc. No. 02-1204. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

**Community Conservation Partnerships Program**

The Department of Conservation and Natural Resources (Department) announces an open application period beginning July 15, 2002, for funding of planning, acquisition, development and technical assistance projects for the Community Conservation Partnerships Program (Program).

In response to survey recommendations received from our grant applicants and workshop participants, the Department scheduled preapplication workshops earlier this year. To better serve their needs, the Department has increased the number of workshops from six to nine to provide a greater number of venues which will decrease the travel time required to attend the workshops. The Department has also completed the manual and placed it on the Department's website with the necessary application forms. These actions will allow prospective applicants the necessary time to work with our regional advisors to develop a complete and competitive application.

The Program will continue to combine several funding sources currently administered by the Bureau of Recreation and Conservation; these funding sources include the

Keystone Recreation, Park and Conservation Fund, the Environmental Stewardship and Watershed Protection Act (Growing Greener), the Pennsylvania Recreational Trails Program (Federal TEA-21 moneys), Snowmobile/ATV Funds and the Land and Water Conservation Fund. The grant program components funded by these sources are: Community Recreation, Land Trusts, Rails-to-Trails, Rivers Conservation, Pennsylvania Recreational Trails, Snowmobile/ATV and Land and Water Conservation. These projects have been combined into one application cycle and a single application format to streamline the process.

Information on the preapplication workshops and order form to obtain a hard copy of the manual, including application forms, have been sent to Commonwealth municipalities, municipal agencies, appropriate/authorized organizations and prequalified land trust organizations. The Grant Application Manual for fiscal year 2002-2003, as well as forms and additional information, may be obtained by contacting the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation, 6th Floor, Rachel Carson State Office Building, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-4734, e-mail: [rec&con@state.pa.us](mailto:rec&con@state.pa.us) or the Department's website: [www.dcnr.state.pa.us/grants](http://www.dcnr.state.pa.us/grants). Completed grant applications should be mailed to the postal address previously noted and must be postmarked no later than October 16, 2002. Grant applications hand

carried to the address noted above must be received by 5 p.m. on October 16, 2002. Applications will not be accepted via fax or e-mail.

Persons with a disability who wish to submit an application and require assistance should contact Darrel Siesholtz at the previous phone number to discuss how the Department may best accommodate their needs. Voice/TTY users call (800) 654-5984.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 02-1205. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural

Resources (Department) will hold a meeting on Tuesday, July 23, 2002, at 9 a.m. in the Terrace Room, Radisson Hotel Bethlehem, 437 Main Street, Bethlehem, PA.

Questions concerning this meeting or agenda items should be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Claire Guisewite at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 02-1206. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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### NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

### NPDES APPLICATIONS

### PART I PERMITS

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For all new permit applications, renewal application with major changes or applications for permits not waived by the EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

Persons with a disability, who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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### I. NPDES Renewal Applications

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*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0000345, Amendment No. 1, Industrial Waste, Pennsylvania-American Water Company, Clarion Filter Plant, Water Company Road, Clarion, PA 16214.** This proposed facility is located in Clarion Township, **Clarion County**.

Description of Proposed Activity: treated discharge of industrial wastewater and stormwater at a potable water treatment facility.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is Pennsylvania-American Water Company—Clarion District and the Clarion River located at Clarion, 0.04 mile below point of discharge.

The receiving stream, Clarion River and an unnamed tributary to the Clarion River, is in watershed 17B and classified for: CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 (Interim) based on a design flow of 0.138 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
Total Suspended Solids	30.0	60.0	75.0
Total Aluminum	4.0	8.0	10.0
Total Iron	2.0	4.0	5.0
Total Manganese	1.0	2.0	2.5
Total Residual Chlorine	0.5		1.2
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 001 (Final) based on a design flow of 0.6125 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
Total Suspended Solids	30.0	60.0	75.0
Total Aluminum	0.56	1.2	1.4
Total Iron	2.0	4.0	5.0
Total Manganese	1.0	2.0	2.5
Total Residual Chlorine	0.5		1.2
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 002 (interim) based on a design flow of n/a MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
See Part C Condition No. 4			

The proposed effluent limits for Outfall 002 (final) based on a design flow of n/a MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
Total Residual Chlorine	XX		

The proposed effluent limits for Outfall 003 (interim and final) and Outfalls 004—006 based on a design flow of n/a MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
See Part C Condition No. 4			

The EPA Waiver is in effect.

**PA0014427**, Industrial Waste, **United States Fish and Wildlife Service—Allegheny National Fish Hatchery**, R. D. 1 Box 1050, Warren, PA 16365. This proposed facility is located in Glade Township, **Warren County**.

Description of Proposed Activity: discharge of treated and untreated industrial waste and stormwater from a fish hatchery.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Emlenton Water Company and the Allegheny River located at River Mile 90, 104 miles below point of discharge.

The receiving stream, the Allegheny River, is in watershed 16-B and classified for: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.76 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
CBOD <sub>5</sub>	10		25
Total Suspended Solids	10		25
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 002 based on a design flow of 4.75 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
CBOD <sub>5</sub>	10		25
Total Suspended Solids	10		25
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

**PA0035718**, Industrial Waste, **John Koller, & Sons t/a Fairview Swiss Cheese**, 1734 Perry Highway, Fredonia, PA 16124. This proposed facility is located in Fairview Township, **Mercer County**.

Upon comments received, the limitations published at 32 Pa.B. 1547 (March 23, 2002) for John Koller & Sons t/a Fairview Swiss Cheese for a discharge in Fairview Township, Mercer County was revised as follows.

Description of discharge: This is a minor discharge of commercial wastes in watershed 20-A which is classified for: TSF, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Beaver Falls Municipal Authority on the Beaver River located at River Mile 3.8, approximately 56.4 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
BOD <sub>5</sub>	39	90	XX	XX	143
TSS	58	135	XX	XX	218
NH <sub>3</sub> -N					
(5-1 to 10-31)	1.3	2.7	3.0	6.5	7.0
(11-1 to 4-30)	3.5	7.9	9.0	19	21
Fecal Coliform					
TRC			0.5		1.2
pH	Within limits of 6.0 to 9.0 standard units at all times.				

XX—Monitor and report.

The EPA Waiver is in effect.

## II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Applications

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**PA0041009**, Industrial, **Pipeline Petroleum, Inc.**, Shippers Road, Macungie, PA 18067. This proposed facility is located in Lower Macungie Township, **Lehigh County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated process water.

The receiving stream, unnamed tributary to Little Lehigh Creek, is in the State Water Plan watershed #2C and is classified for: HQ-CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for City of Allentown is located on Little Lehigh River approximately 6 miles below the point of discharge.

The proposed effluent limits for Outfall 001 and 002 based on a design flow of N/A.

<i>Parameter</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Instantaneous</i>
Outfall 001		Monitor and Report
Total Recoverable Hydrocarbon		
Outfall 002		Monitor and Report
Total Recoverable Hydrocarbon		

**PA0063592**, Sewage, **Borough of Gilberton**, Main Street, Gilberton, PA 17934. This proposed facility is located in Gilberton Borough, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage.

The receiving stream, Mahanoy Creek, is in the State Water Plan watershed #6B and is classified for: CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Dauphin Consolidated Water Company is located on the Susquehanna River, 90 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .100 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Dissolved Oxygen	A minimum of 5 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	1		2

**PA0060186**, Sewage, **Elk Meadows Homeowner Association**, R. R. 1, Uniondale, PA 18470. This proposed facility is located in Herrick Township, **Susquehanna County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage.

The receiving stream, unnamed tributary of Tunkhannock Creek, is in the State Water Plan watershed #4F and is classified for: CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Danville Water Authority is located on the Susquehanna River approximately 100 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .023 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N			
(5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24
Dissolved Oxygen	A minimum of 5 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	.3		.7

**PA0064173**, Sewage, **Heisler's Cloverleaf Dairy, Inc.**, R. R. 1, Box 1169, Tamaqua, PA 18252. This proposed facility is located in Walker Township, **Schuylkill County**.

Description of Proposed Activity: Application for NPDES Permit to discharge treated sewage.

The receiving stream, Beaver Creek, is in the State Water Plan watershed #3A and is classified for: CWF. The nearest downstream public water supply intake for Pottstown Borough Water Authority is located on Beaver Creek approximately 45 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .0056 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine			
(1st Month to 24th Month)	Monitor and Report		Monitor and Report
(25th Month to Expiration)	1.2		2.8
Oil and Grease	15		30

**PA0034029**, Sewage, **Sand Spring Water and Sewer Co., Inc.**, 4101 Sand Spring Road, Schnecksville, PA 18078. This proposed facility is located in North Whitehall Township, **Lehigh County**.

Description of Proposed Activity: Renewal of NPDES to discharge treated sewage.

The receiving stream, unnamed tributary to Coplay Creek, is in the State Water Plan watershed #2C and is classified for: CWF, water supply, aquatic life and recreation. The nearest downstream public water supply intake for City of Allentown is located on Lehigh River approximately 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .035 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Instantaneous (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	10		20
(11-1 to 4-30)	20		40



<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Instantaneous (mg/l)</i>
Total Suspended Solids	10		20
NH <sub>3</sub> -N			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Dissolved Oxygen	A minimum of 2 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine			
(1st Month to 24th Month)	Monitor and Report		Monitor and Report
(25th Month to Expiration)	1.2		2.8

**PA0063584**, Sewage, **Progressive Labels**, P. O. Box 347, Tannersville, PA 18372. This proposed facility is located in Pocono Township, **Monroe County**.

The receiving stream, Scot Run, is in the State Water Plan watershed #1E and is classified for: HQ-CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Stroudsburg Emergency Intake is located on McMichael Creek approximately 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .00075 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Instantaneous (mg/l)</i>
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	Monitor and Report		

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**Application No. PA0246620**, Industrial Waste 4011, **Norfolk Southern Railway Company (Rutherford Internal)**, 110 Franklin Road, S.E., Roanoke, VA 24042. This facility is located in Swatara Township, **Dauphin County**.

Description of activity: The application is for issuance of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, unnamed tributary of Spring Creek via storm sewer, is in Watershed 7-C and classified for WWF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Steelton Municipal Water Works is located on the Susquehanna River, approximately 3 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Concentration (mg/l) Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH		From 6.0 to 9.0 inclusive	
Total Suspended Solids	30	60	75
Oil and Grease		15	30
CBOD <sub>5</sub>		Monitor and Report	
Chemical Oxygen Demand		Monitor and Report	
Total Kjeldahl Nitrogen		Monitor and Report	
Total Phosphorus		Monitor and Report	
Total Iron		Monitor and Report	

In addition to the effluent limits, the permit contains the following major special condition:

Requirements for stormwater discharges.

Individuals may make an appointment to review the Department files on this case by calling the File Review Coordinator at (717) 705-4732.

The EPA waiver is in effect.

**Application No. PA 0021890**, Sewage, **New Holland Borough**, 436 East Main Street, New Holland, PA 17557. This facility is located in Earl Township, **Lancaster County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Mill Creek, is in Watershed 7-J and classified for WWF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Holtwood Power Plant is located on the Susquehanna River, approximately 60 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.34 MGD are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.8		3.6
(11-1 to 4-30)	5.4		10.8
Total Phosphorus	2		4
Total Residual Chlorine	0.5		1.1
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,700/100 ml as a geometric average	

Individuals may make an appointment to review the Department files on this case by calling the File Review Coordinator at (717) 705-4732.

The EPA waiver is not in effect.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327 3666.*

**PA0028681**, Sewerage SIC, 4952, **Kelly Township Municipal Authority**, 299 River Road, Lewisburg, PA 17837-9703. This existing facility is located in Kelly Township, **Union County**.

Description of Proposed Activity: This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 10C and classified for: WWF. The nearest downstream public water supply intake for Sunbury Municipal Authority is located on the Susquehanna River 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 3.75 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Daily Maximum (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	40		50
TSS	30	45		60
Copper			Report	
Total Cl <sub>2</sub> Residual	0.50			1.6
Fecal Coliforms:				
(5-1 to 9-30)	200 col/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean			
pH	6.0 to 9.0 at all times			

*Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; (412) 442-4000.*

**PA0219053**, Industrial Waste, SIC, 4212, **Terminal Leasing, Inc.**, 9 Industry Drive, Washington, PA 15301. This application is for issuance of an NPDES permit to discharge treated stormwater from the Washington Terminal in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary of Little Chartiers Creek, classified as a HQ-WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the West View Municipal Water Authority, 41.17 miles below the discharge point.

*Outfall 001: new discharge, design flow of 4.6 mgd.*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Suspended Solids				Monitor and Report	
Oil and Grease			15		30

The EPA waiver is in effect.

**PA0021407**, Sewage, **Point Marion Municipal Authority**, 426 Morgantown Street, Point Marion, PA 15474. This application is for renewal of an NPDES permit to discharge treated sewage from Point Marion Wastewater Treatment Plant in the Borough of Point Marion, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the East Dunkard Water Association.

*Outfall 001*: existing discharge, design flow of 0.3 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD	25	38		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 002—007 will serve as combined sewer overflows.

The EPA waiver is in effect.

**PA0024490**, Sewage, **Rockwood Borough**, 358 Market Street, Rockwood, PA 15557. This application is for renewal of an NPDES permit to discharge treated sewage from Rockwood Borough STP in Black Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Casselman River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohiopyle Municipal Water Works.

*Outfall 001*: existing discharge, design flow of 0.3 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 002, 004—007 will serve as combined sewer overflows.

The EPA waiver is in effect.

**PA0039721**, Sewage, **Rostraver Township Sewage Authority**, 202 Port Royal Road, P. O. Box 976 Municipal Building, Belle Vernon, PA 15102. This application is for renewal of an NPDES permit to discharge treated sewage from Rehoboth Valley Industrial District STP in Rostraver Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Speers Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Charleroi Borough Authority located on the Monongahela River.

*Outfall 001*: existing discharge, design flow of 0.075 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.2			4.4
(11-1 to 4-30)	4.5			9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.17			.4
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0097942**, Sewage, **Dunlap, Inc.**, 1310 Pittsburgh Road, P. O. Box 2092, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from Arctic Cove Restaurant Site STP in North Union Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Redstone Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Washington Township Municipal Authority.

*Outfall 001*: existing discharge, design flow of 0.001475 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0111597**, Sewage, **Westmont Hilltop Recreation Commission**, 1000 Edgehill Drive, Johnstown, PA 15905. This application is for renewal of an NPDES permit to discharge treated sewage from Westmont Hilltop Recreation Commission STP in Upper Yoder Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary to Allwine Creek, which are classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the North Fork Reservoir.

*Outfall 001*: existing discharge, design flow of 0.003 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Phosphorus	1			2
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.5			
Dissolved Oxygen	not less than 7 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0205087**, Sewage, **Rockwood Real Estate, Inc.**, R. D. 2, Box 208, Rockwood, PA 15557. This application is for renewal of an NPDES permit to discharge treated sewage from Scottyland Camping Resort STP in Middle Creek Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Lost Creek, which are classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohiopyle Municipal Water Works.

*Outfall 001*: existing discharge, design flow of 0.0102 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	20,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0205516, Amendment No. 1**, Sewage, **Westmoreland County Industrial Park Authority**, 601 Courthouse Square, Greensburg, PA 15601. This application is for amendment of an NPDES permit to discharge treated sewage from Westmoreland Business and Research Park in Upper Burrell Township, **Westmoreland County**.

The following effluent limitations changes are proposed for discharge to the receiving waters, known as a tributary of Pucketa Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Oakmont Water Authority.

*Outfall 001:* existing discharge location, design flow of .05 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Copper				
(1st Month to 36th Month)			Monitor and Report	
(37th Month to Expiration)	.018			.045
Zinc				
(1st Month to 36th Month)			Monitor and Report	
(37th Month to Expiration)	.150			.375
Dichlorobromomethane				
(1st Month to 36th Month)		Monitor and Report		
(37th Month to Expiration)	.0011			.0027

*Outfall 001:* expanded discharge, design flow of .10 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Copper	.018			.045
Lead	.008			.020
Zinc	.145			.362
Chloroform	.008			.020
Dichlorobromomethane	.0008			.002

The permittee proposes to extend the treatment plant outfall sewer approximately 13,000 feet to discharge treated effluent into Pucketa Creek. The following effluent limitations are proposed for discharge to the receiving waters, known as Pucketa Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Oakmont Water Authority.

*Outfall 001:* existing discharge, design flow of .05 mgd, outfall extended to Pucketa Creek.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	4			8
(11-1 to 4-30)	12			24
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.35			.8
Dissolved Oxygen	not less than 4 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Copper				
(1st Month to 36th Month)			Monitor and Report	
(37th Month to Expiration)	.038			.095
Zinc				
(1st Month to 36th Month)			Monitor and Report	
(37th Month to Expiration)	.330			.825

*Outfall 001:* expanded discharge, design flow of .10 mgd, outfall extended to Pucketa Creek.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	4			8
(11-1 to 4-30)	12			24
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine	.35			.8
Dissolved Oxygen	not less than 4 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Copper	.024			.060
Lead	.008			.020
Zinc	.200			.500
Chlorodibromomethane	.0006			.0015
Chloroform	.088			.220
Dichlorobromomethane	.009			.022

The EPA waiver is in effect.

**PA0205966**, Sewage, **Economy Borough Municipal Authority**, 2860 Conway Wallrose Road, Baden, PA 15005. This application is for renewal of an NPDES permit to discharge treated sewage from Chestnut Ridge STP in Economy Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cooney Hollow—tributary to Big Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the ARCO Chemical Company BV Plant.

*Outfall 001*: existing discharge, design flow of 0.0165 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.5			7.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.07			.17
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

## WATER QUALITY MANAGEMENT PERMITS

### CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER APPLICATIONS UNDER THE CLEAN STREAMS LAW

#### PART II PERMITS

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department).

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department reserves the right to hold a public hearing if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation of the area. If no hearing is held, the Department's Water Management

Program Manager will make a final determination regarding the applications after a complete review. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

#### I. Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**WQM Permit No. 5202403, Westfall Township Municipal Authority**, P. O. Box 235, Matamoras, PA 18336. This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Action/Activity: This project consists of the upgrade and expansion of the Westfall Township Municipal Authority's Wastewater Treatment Plant to 300,000 GPD.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**WQM Permit No. 5902405**, Sewerage 4952, **EMC Mortgage, Inc.**, P. O. Box 141358, Irving, TX 75014. This proposed facility is located in Osceola Township, **Tioga County**.

Description of Proposed Action/Activity: This is an application for a SFTF serving a residence.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Application No. 0202408**, Sewerage, **Aleppo Township Authority**, 100 North Drive, Sewickley, PA 15143. Application for the construction and operation of the I-79 North Wastewater Treatment Plant to serve the Masonic Village at Sewickley located in Aleppo Township, **Allegheny County**.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 6202405**, Sewerage, **Joseph A. Moski**, 3726 Melrose Avenue, Erie, PA 16508-2322. This proposed facility is located in Glade Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

#### **NPDES Stormwater Individual Permit**

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best man-

agement practices which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Lehigh County Conservation District: Lehigh Ag. Ctr., Suite 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q241	Myron Haydt 3005 Barrington Ln. Allentown, PA 18108	Lehigh County Salisbury Township	Little Lehigh Creek HQ-CWF
PAS10Q242	Willard Dellicker L.C.T.I. 4500 Education Park Dr. Schnecksville, PA 18078	Lehigh County North Whitehall Township	UNT to Jordan Creek HQ-CWF, MF

*Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10U173	Jack Calahan 2767 Mill Road Doylestown, PA 18901	Northampton County Hanover Township	Monocacy Creek HQ-CWF

*Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10S065-2	Stroudsburg Municipal Authority 410 Stokes Ave. East Stroudsburg, PA 18301	Monroe County Pocono and Paradise Townships	Pocono, Swiftwater and Cranberry Creeks Bulgers, Scot and Transue Runs HQ-CWF

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10N036	Department of Environmental Protection Bureau of Abandoned Mine Reclamation 2 Public Square, 5th Floor Wilkes-Barre, PA 18711-0790	Lackawanna County Jessup Borough	Sterry Creek CWF Grassy Island Creek HQ-CWF

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Cambria County Conservation District: 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931, (814) 472-2120.*

**NPDES Permit PAS101029**, Stormwater, **Connectiv Mid-Merit, Inc.**, 113 Pencader Drive, Suite 100, Newark, DE 19702 has applied to discharge stormwater associated with a construction activity located in Jackson Township, **Cambria County** to Laurel Run, HQ-CWF.

### **PUBLIC WATER SUPPLY (PWS) PERMIT**

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on the permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Comment responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and any related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### **SAFE DRINKING WATER**

#### **Applications Received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

*Southeast Region: Water Supply Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Permit No. 1502502**, Public Water Supply.

Applicant	<b>Tel Hai Retirement Community</b>
Township	Honey Brook

Responsible Official	David E. Scott 1200 Tel Hai Circle Honey Brook, PA 19344
Type of Facility	PWS
Consulting Engineer	Applied Environmental Management 16 Chester County Commons Malvern, PA 19355
Application Received Date	June 11, 2002
Description of Action	Construction of a new well. Installation of approximately 120 feet of transmission line.

*Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Permit No. 6602502**, Public Water Supply.

Applicant	<b>Pennsylvania American Water Company</b>
Township or Borough	Lehman Township
Responsible Official	Steven J. Seidl Vice President—Engineering Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	Paul B. Milnes, P. E. Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657
Application Received Date	May 15, 2002
Description of Action	Approval to construct a booster pumping facility and water line extension to provide better supply and pressure to sections of the Winona Lake Development. The source of supply is the PAWC system for Saw Creek Estates. Booster stations shall be located at the Saw Creek Wastewater Treatment Plant.

*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 2602501**, Public Water Supply.

Applicant	<b>NWL, Inc.</b> Route 40 East Farmington, PA
Township or Borough	Wharton Township



Responsible Official Peter Magerko  
NWL, Inc.  
Route 40 East  
Farmington, PA

Type of Facility Iron removal

Consulting Engineer Penn Environmental and  
Remediation, Inc.  
2755 Bergey Road  
Hatfield, PA 19440

Application Received June 24, 2002  
Date

Description of Action Iron removal system to augment  
existing greensand filters.

#### MINOR AMENDMENT

#### Applications Received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

*Southeast Region: Water Supply Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

#### Application No. 0902505, Minor Amendment.

Applicant **Newtown Artesian Water Company**

Borough Newtown

Responsible Official William H. McCormick  
P. O. Box 217  
Newtown, PA 18940-0217

Type of Facility PWS

Consulting Engineer Gennett Fleming Inc.  
P. O. Box 67100  
Harrisburg, PA 17106-7100

Application Received June 19, 2002  
Date

Description of Action Change of chemical disinfection  
from gas chlorine to liquid sodium  
hypochlorite.

*Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

#### Application No. 2520062, Minor Amendment.

Applicant **Pennsylvania American Water Company**

Township or Borough Lehman Township  
**Pike County**

Responsible Official William C. Kelvington, V.P. Ops.  
Pennsylvania American Water  
Company  
800 West Hersheypark Drive  
Hershey, PA 17033

Type of Facility Community Water System

Application Received April 8, 2002  
Date

Description of Action Transfer PWS Operation Permit  
No. 2520062, issued February 24,  
1999, to Lehman-Pike Water &  
Sewer Co. for operation of com-  
munity water system serving Saw  
Creek Estates.

Application No. Minor Amendment.

Applicant **Pocono Summit Plaza Water System**

Township or Borough Tobyhanna Township

Responsible Official Henry Biernacki  
125 Wilson Avenue  
Edison, NJ 08817

Type of Facility PWS

Application Received June 19, 2002  
Date

Description of Action Transfer of Permit No. 4500507,  
originally issued to the First Na-  
tional Bank of Palmerton to the  
Pocono Summit Plaza water sys-  
tem

#### WATER ALLOCATIONS

#### Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of this Commonwealth.

*Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WA 10-472C**, Water Allocation, **Zelienople Borough**, 111 West New Castle Street, Zelienople, PA 16063, Zelienople Borough, **Butler County**. Application for modification to existing water allocation permit requesting the right to improve the raw water intake located at Scholars Run Dam, Jackson Township, Butler County. The quality of treated water generated by Zelienople Borough will not change as a result of this project. There is no request for a modification in existing allocation amount.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

##### UNDER ACT 2, 1995

##### PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any

contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Horner Residence**, Conewago Township, **Adams County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17103, on behalf of Ruba Horner, 4738 East Flower Circle, Mesa, AZ 85206 and Dan Wisotzkey, 3311 Honey Run Drive, York, PA 17404-9443, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil. The applicant proposes to remediate the site to meet a combination of the requirements for the Statewide Health and Site-Specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hanover Evening Sun* on June 8, 2002.

#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

**Application received, under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southeast Region: Regional Solid Waste Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**PAD002375376, US Steel Corporation**, 600 Grant St., Pittsburgh, PA 15219-2702, Falls Township, **Bucks County**. Application received on June 24, 2002.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Applications Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the**

#### **Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit Application No. 101546. Potter County Solid Waste Authority**, R. R. 1 Box 234A, Ulysses, PA 16948-0234, for the Potter County Transfer Station located in Ulysses Township, **Potter County**. Action plan for radiation monitoring. The application was received by the Williamsport Regional Office on June 20, 2002.

**Permit Application No. 301292. CraftMaster Manufacturing, Inc.**, P. O. Box 311, Towanda, PA 18848, for Towanda Mill located in Wysox Township, **Bradford County**. Application for reissuance of spray field permit. The application was accepted as complete by the Williamsport Regional Office on June 20, 2002.

**Permit Application No. 300610. CraftMaster Manufacturing Inc.**, P. O. Box 311, Towanda, PA 18848, for Towanda Mill located in Wysox Township, **Bradford County**. Application for reissuance of landfill permit. The application was accepted as complete by the Williamsport Regional Office on June 20, 2002.

Comments concerning the previous applications should be directed to John C. Hamilton, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application may contact the Williamsport Regional Office, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

## **AIR QUALITY**

### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

#### **NEW SOURCES AND MODIFICATIONS**

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Office identified in this notice. Persons interested in reviewing the application files should contact the appropriate Regional Office to schedule an appointment.

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the Department Regional Office within 30 days of the date of this notice and must file protests or comments on a Proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed

document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office identified. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121–143, the Federal Clean Air Act and regulations adopted under the Act.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: Mark Wejksznier, Acting New Source Review Chief, (570) 826-2531.*

**40-320-017: Bemis Co., Inc.** (Valmont Industrial Park, 20 Jaycee Drive, West Hazleton, PA 18202-1142) for installation of an air cleaning device as a replacement on presses 9 and 10 in West Hazleton Borough, **Luzerne County**.

**39-318-111: Gateway Industrial Services** (805 Harrison Street, Allentown, PA 18103) for construction of two paint spray booths and associated air cleaning devices in Allentown, **Lehigh County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**19-320-005: Press Enterprise, Inc.** (3185 Lackawanna Avenue, Bloomsburg, PA 17815) for construction of a heatset web lithographic printing press in Scott Township, **Columbia County**.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**09-0061A: Donaldson Co., Inc.** (85 Railroad Drive, Ivyland, PA 18974) for installation of polytetra fluoroethylene extrusion line in Northampton Township, **Bucks County**. This facility is a minor facility. Total emissions

from this source are 9.0 tons of VOCs per year. The plan approval will contain recordkeeping and operating restrictions to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**23-0094: Steinbeis Packaging, LLC** (1515 Garnet Mine Road, Boothwyn, PA 19061) for installation of two rotogravure printing presses controlled by a thermal oxidizer in Bethel Township, **Delaware County**. This facility is a minor facility. Total emissions from this source are 5.5 tons of VOCs per year. The Plan approval will contain recordkeeping and operating restrictions to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**46-0229: Global Rubber, Inc.** (451 Yerkes Road, King of Prussia, PA 19406) for installation of a carbon adsorption system to control odors from a rubber mat manufacturing facility in Upper Merion Township, **Montgomery County**. The plan approval will subsequently be incorporated into a State only operating permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

To assure compliance with the applicable standards, the Department has placed the following conditions in the proposed Plan Approval:

#### 1. Operational Limitations

A. The company shall operate the carbon adsorption system whenever the rubber mat press is operating.

B. The maximum pressure drop across the carbon bed shall be determined prior to the issuance of an operating permit.

C. The company shall install equipment (a differential manometer or equivalent, as approved by the Department) so that the pressure drop across the carbon bed can be measured.

D. The company shall install, operate and maintain the carbon adsorption system in accordance with the manufacturer's specifications as well as good air pollution control practices.

E. The company shall restrict the natural draft openings to 240 square feet, or less, around the rubber mat press.

F. The minimum flow rate into the carbon adsorber shall be 12,000 cfm.

#### 2. Emission Limitations

A. The company shall comply with 25 Pa. Code § 123.31.

#### 3. Monitoring Requirements

A. The company shall monitor the pressure drop across the carbon bed at least once per shift.

B. The company shall monitor, once per operating day, for odors which the Department may determine to be objectionable.

C. The company shall notify the Department at (610) 832-6241 within 1 hour of occurrence of a malfunction of the carbon adsorber system or a bypass of the carbon adsorber system which results in an odor which the Department may determine to be objectionable or an increase in emissions above any allowable emission rate contained in the Department's rules and regulations or any condition of this plan approval. The malfunction shall be corrected as expeditiously as possible. In addition, the Department shall be notified, in writing, no later than 5

days following the malfunction of the nature of the malfunction and the actions taken to correct the malfunction.

D. After 6 months of daily monitoring, the company may apply to the Department to reduce the frequency of the monitoring.

#### 4. Recordkeeping and Reporting Requirements

Sufficient data shall be recorded so that compliance with the conditions in the plan approval can be determined. Records shall be kept for a minimum of 5 years and shall be made available to the Department upon request.

A. The company shall maintain a copy of the manufacturer's specifications for the carbon adsorption system.

B. The company shall keep a record of the daily monitoring required by Condition 3.B.

C. The company shall keep a record of the pressure drop across the carbon bed to demonstrate compliance with Condition 1.B.

D. The company shall keep a record of any malfunction or bypass of the carbon adsorption system that occurs as well as the actions taken to correct the malfunction or bypass.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**06-05093: Industrial Power Generating Corp.** (2250 Dabney Road, Richmond, VA 23230) for construction of an electric generating facility controlled by combustion controls in Exeter Township, **Berks County**. The facility is non-Title V (State only) facility. The facility will fire commercial fuel oil, waste derived liquid fuels and landfill gas. The applicant has requested emission limits below the Title V thresholds. The potential emission limits are 3.5 tons per year of particulate, 99 tons per year of NO<sub>x</sub>, 99 tons per year of CO, 8.7 tons per year of SO<sub>x</sub>, 4.2 tons per year of VOC, 10 tons per year of any single HAP and 25 tons per year of all HAPS. The applicant will be required to maintain records of the emissions and contaminants in the noncommercial fuels. Limits will be placed on the contaminants. The approval will include other record keeping, reporting, monitoring and work practice requirements designed to keep the source operating within all applicable air quality requirements.

**06-05078C: FR and S, Inc. d/b/a Pioneer Crossing Landfill** (727 Red Lane Road, Birdsboro, PA 19508) for modification of the municipal solid waste landfill controlled by a gas collection system, temporary flares and a permanent flare in Exeter Township, **Berks County**. The modification will permit the landfill to divert all or parts of the collected gases to an electrical generation facility for use as a fuel. The modification will result in no changes in the emissions from the landfill. The source is subject to 40 CFR Part 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills. The plan approval will include monitoring, record keeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility is presently covered by Title V Operating Permit 06-05078. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**49-00019C: Sunoco Partners Marketing and Terminals L.P.** (1801 Market Street, Philadelphia, PA 19103-1699) for installation of an air cleaning device, a vapor combustion unit, on two existing tank truck fuel loading racks at the Northumberland Terminal in Point Township, **Northumberland County**. The application also requests approval to construct a combined total of two gasoline loading arms and one distillate fuel loading arm on the respective loading racks.

The Northumberland Terminal is a major facility for which a Title V Operating Permit (No. 49-00019) has been issued. The installation of the vapor combustion unit will replace two existing vapor recovery units. Up to 49.26, 11.21, 7.94 and 4.46 tons of VOCs, carbon monoxide, hazardous air pollutants and nitrogen oxides, respectively, will be emitted in any 12 consecutive month period as a result of loading gasoline.

The Department's review of the information contained in the application indicates that the proposed construction of additional loading arms and installation of the vapor combustion unit on the two existing loading racks will meet all applicable air quality requirements including the VOC emission limitation of 25 Pa. Code § 129.59 and the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12 (which have applicability because the vapor combustion unit constitutes an "air contamination source" in addition to being an "air cleaning device"). Based on this finding, the Department intends to approve the application and issue a plan approval to construct the additional loading arms and install the proposed vapor combustion unit on the respective loading racks.

The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable air quality regulatory requirements:

1. At no time shall the operation of the loading racks result in the emission of 0.0668 pound (30.3 grams) of gasoline (measured as propane) for every 100 gallons of gasoline loaded.

2. Within 90 days of the completion of installation of the vapor combustion unit, VOC stack testing shall be performed which demonstrates compliance with 25 Pa. Code § 129.59.

3. At no time shall any gasoline loading occur without the simultaneous operation of the vapor combustion unit.

4. The nitrogen oxides and carbon monoxide emissions from the respective vapor combustion unit shall not exceed 4 or 10 milligrams per liter of product loaded, respectively, nor shall the emissions of nitrogen oxides and carbon monoxide exceed 4.46 and 11.21 tons, respectively, in any 12 consecutive month period.

5. The amount of gasoline and distillate fuels loaded using the two loading racks shall not exceed 270, 023 and 260 million gallons, respectively, per 12 consecutive month period.

### OPERATING PERMITS

**Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.*

**05-05006: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue S.E., Charleston, WV 25325-1273) for operation of a natural gas compressor station at its Artemas Compressor Station in Mann Township, **Bedford County**. The facility's major sources of emissions include three gas turbine driven compressors and two engine driven compressors that primarily emit NOx. The Title V Operating Permit contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality

**28-05003: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue S.E., Charleston, WV 25325-1273) for operation of a natural gas compressor station at its Greencastle Compressor Station in Montgomery Township, **Franklin County**. The facility's major sources of emissions include four gas turbine driven compressors that primarily emit NOx. The Title V Operating Permit contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**36-05046: Columbia Gas Transmission Corp.** (1700 MacCorkle Avenue S.E., Charleston, WV 25325-1273) for operation of a natural gas compressor station at its Marietta Compressor Station in East Donegal Township, **Lancaster County**. The facility's major sources of emissions include three gas turbine driven compressors that primarily emit NOx. The Title V Operating Permit contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**46-00149: Armstrong-Americas-I, LLC** (250 Hansen Access Road, King of Prussia, PA 19406) for operation of two boilers in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**23-00068: Cremation Specialists** (301 Chester Pike, Norwood, PA 19074) for the human crematory in Media Borough, **Delaware County**. The permit is for a non-Title V (State only) facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00009: ASAHI Glass Fluoropolymers, USA** (255 South Bailey Road, Downingtown, PA 19335) for operation of the plastics compounding plant located in Caln Township, **Chester County**. The permit is for a non-Title V (State only) facility. The facility has the potential to emit 15 tons per year of VOCs. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: Michael Saffo, Facilities Permitting Chief, (570) 826-2531.*

**35-318-085: Gentex Optics, Inc.** (P. O. Box 336, Carbondale, PA 18407) for operation of a lens coating line

(Fastrack Line) and inclusion of this operation into the facility's Title V Operating Permit in Fell Township, **Lackawanna County**.

**48-399-045: Spray-tek LLC** (344 Cedar Avenue, Middlesex, NJ 08846) for operation of a spray drying system and associated air cleaning device at 3010 Avenue B, Bethlehem, **Northampton County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.*

**06-05023: Stroehmann Bakeries LC** (640 Park Avenue, Reading, PA 19611) for operation of a bread baking facility controlled by a thermal oxidizer in the City of Reading, **Berks County**. The facility is a non-Title V (State only) facility. The VOC emissions will be limited to less than 50 tons per year. The bread oven will have a VOC emission limit and be required to operate only with the oxidizer functioning. The permit will include monitoring, record keeping, work practices and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**67-03009: The Relizon Co.** (Connely and Busser Roads, Emigsville, PA 17318-0128) for operation of lithographic printing presses in Manchester Township, **York County**. The annual emissions of VOCs from each press are less than 1 ton per year and the facility emissions of VOCs are approximately 9 tons per year. The Natural Minor Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.*

**65-00898: Equitrans, LP** (100 Allegheny Center Mall, Pittsburgh, PA 15222) for renewal of a natural gas compressor at the Sleepy Hollow Compressor Station in Salem Township, **Westmoreland County**.

**32-00316: Equitrans, LP** (100 Allegheny Center Mall, Pittsburgh, PA 15222) for renewal of a natural gas compressor at the Pennview Compressor Station in West Wheatfield Township, **Indiana County**.

**26-00451: CONSOL Docks, Inc.** (1800 Washington Road, Pittsburgh, PA 15241) for a coal transfer facility in Luzerne Township, **Fayette County**.

## MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before each application. Where a 401 Water Quality Certification is needed for any aspect of a

particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the previous, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

#### *Coal Applications Received*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**17020901 and NPDES No. PA 0243256. Johnson Brothers Coal Company**, R. D. 1, Box 580, Mahaffey, PA 15757. Commencement, operation and restoration of an incidental coal extraction surface mining permit in Penn Township, **Clearfield County** affecting 15.4 acres. Receiving streams: Kratzer Run, tributary to Anderson Creek, classified for the following use: CWF. Application received May 24, 2002.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**32020105. Kraynak Coal Company**, 3124 Firetower Road, Mahaffey, PA 15757, commencement, operation and restoration of a bituminous surface and auger mine in Grant and Green Townships, **Indiana County**, affecting 126.0 acres. Receiving streams: Little Mahoning Creek and tributaries to Little Mahoning Creek classified for the following uses: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 17, 2002.

**56920105 and NPDES Permit No. PA0599476. Saner Energies, Inc.**, 1179 Rockdale Road, Rockwood, PA 15557-6409, permit renewal for continued operation of a bituminous surface and auger mine and for discharge of treated mine drainage in Southampton Township, **Somerset County**, affecting 100.2 acres. Receiving streams: unnamed tributaries to North Branch of Jennings Run classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 20, 2002.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**10000103 and NPDES Permit No. PA 0241776. Seneca Landfill, Inc.** (P. O. Box 1080, Mars, PA 16046). Revision to an existing bituminous surface strip operation in Jackson and Lancaster Townships, **Butler County** affecting 277.0 acres. Receiving streams: unnamed tributary to Connoquenessing Creek, classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is Borough of Zelienople. Revision for an incidental boundary correction. Application received June 25, 2002.

**6433-10000103-E-3. Seneca Landfill, Inc.** (P. O. Box 1080, Mars, PA 16046). Stream encroachment application for support activities within the 100 foot stream barrier of unnamed tributary UT-B to Connoquenessing Creek in Jackson Township, **Butler County**. Receiving streams: Connoquenessing Creek. Application received June 25, 2002.

#### *Noncoal Applications Received*

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**65930401. Better Materials Corporation** (2200 Springfield Pike, Connellsville, PA 15425-9503). Application received for transfer of permit currently issued to Latrobe Construction Company for continued operation and reclamation of a noncoal surface mining site located in Ligonier and Derry Townships, **Westmoreland County**, affecting 172.6 acres. Receiving streams: unnamed tributaries to Loyalhanna Creek and Loyalhanna Creek, classified for the following uses: CWF and TSF. The first downstream potable water supply intake from the point of discharge is the Latrobe Municipal Authority. Transfer application received June 14, 2002.

#### **PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT**

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. For landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection (Department).

The following project proposals have been received by the Department. A copy of the proposals is available for inspection at the office indicated before each proposal.

Written comments or objections may be submitted by any person or any office or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

*Special Project Proposals Received*

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**EGS Turtle Creek Watershed Association, Inc.**, 325 Commerce Street, Suite 204, Wilmerding, PA 15148. A project to abate mine drainage pollution in Murraysville Borough, **Westmoreland County**, affecting approximately 3 acres Receiving stream: Turtle Creek. Project proposal received June 12, 2002.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8 a.m. and 4 p.m. on each working day at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

## WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E15-689. Raymour & Flanigan Furniture**, 7248 Morgan Road, Liverpool, NY 13088, West Whiteland Township, **Chester County**, ACOE Philadelphia District.

To place and maintain fill within 0.11 acre of wetland (PEM) and along 290 linear feet unnamed tributary to West Valley Creek (CWF-MF) to facilitate the construction of an access road, parking area and associated stormwater facilities for a proposed Raymour & Flanigan Furniture store. This site is located on the southeast corner of Route 100 and Route 30 (Downingtown, PA Quadrangle N: 5.0 inches: W: 0.2 inch).

**E46-917. Lower Merion Township Board of Commissioners**, 75 East Lancaster Avenue, Ardmore, PA 19003, Lower Merion Township, **Montgomery County**, ACOE, Philadelphia District.

To replace and maintain the River Road Bridge across approximately 50 feet of Mill Creek (TSF) and to perform associated roadway improvements. The existing structure is a concrete bridge consisting of twin 12-meter (39.37-foot) spans with a skew of 81 degrees. The proposed structure is a prestressed concrete spread box beam bridge with a single clear span of approximately 25.31 meters (83.04 feet) and an underclearance of approximately 1.24 meters (4.07 feet). The crossing is located along Mill Creek at River Road approximately 150 downstream from the Schuylkill Expressway (I-76) Crossing (Norristown, PA Quadrangle N: 8.2 inches, W: 0.9 inch).

**E46-918. Horsham Fire Company No. 1**, 315 Meeting House Road, Horsham, PA 19044, Horsham Township, **Montgomery County**, ACOE Philadelphia District.

To remove an existing 65-inch CMP stream enclosure located just downstream of the Meetinghouse Road crossing and to construct and maintain 195 linear feet of 5-foot by 9-foot stream enclosure in and along an unnamed tributary to Pennypack Creek (TSF, MF) to facilitate the construction of the Horsham Fire Company Battalion 1 Building. The site is located approximately 250 feet northeast of the intersection of Easton Road (SR 611) and Meetinghouse Road (Ambler, PA USGS Quadrangle, N: 10.4 inches, W: 1.0 inch). This project is also associated with the Meetinghouse Road widening project consisting of a proposed stream enclosure extension on the upstream end (Application No. E46-911).

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E25-655. Westminster Place Partnership**, 2601 West 26th Street, Erie, PA 16506, Westminster Opportunity Park, in Fairview Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 1.0 inch; W: 16.0 inches).

To fill a total of 0.70 acre of nonexceptional value wetlands and 0.06 acre of exceptional value wetlands for lot development adjacent to and northwest of the intersection of I-90 and SR 98. The project includes creation of 0.88 acre of onsite replacement wetlands.

**E33-208. Clearfield Jefferson Counties Regional Airport Authority**, P. O. Box 299, Falls Creek, PA 15840, DuBois-Jefferson County Airport Runway 25 End Safety Area Improvements, in Washington Township, **Jefferson County**, ACOE Pittsburgh District (Hazen, PA Quadrangle N: 10.1 inches; W: 2.3 inches).



To fill a total of 0.21 acre of wetlands to extend Runway 7-25 a length of 300 feet to meet Federal Aviation Administration Safety Standards. The project is located approximately 1.7 miles southeast of the intersection of SR 310 and SR 830. Wetlands to be impacted by this project are upslope and to the east of the existing Runway 7-25 and west of the headwaters of Kyle Run (HQ-CWF). The project includes creation of 0.21 acre of replacement wetlands approximately 900 feet south of the existing wetlands and to construct and maintain two 40-foot long, 2-foot diameter corrugated polyethylene pipe culverts in Kyle Run to create a stream crossing to access the wetland replacement area.

#### WATER QUALITY CERTIFICATIONS

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

Certification Request initiated by **Reliant Energy Mid-Atlantic Power Holdings, LLC (REMA)**, 1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907-1050. Piney Hydroelectric Project (FERC Project No. 309-PA), in Piney Township, **Clarion County**, ACOE Pittsburgh District (Clarion, PA Quadrangle N: 12.125 inches; W: 8.125 inches).

Project description: REMA has requested a Section 401 State Water Quality Certification for the operation of the Piney Hydroelectric Project (Project) near the Borough of Clarion in Clarion County. This request supercedes a previous Certification Request published at 31 Pa.B. 1406 (March 10, 2001). The Project currently operates as a peaking/load-regulating dam with restrictions on the summer and winter impoundment drawdown levels and minimum conservation releases. Under the current mode of operation, water is released from the Project during periods of power generation and when the storage capacity of the reservoir is exceeded. Minimum conservation releases of 100 cfs from May 1 to October 31 and two 4-hour blocks of 500 cfs from November 1 to April 30 are also provided during periods of nongeneration. REMA proposes modifying the current mode of Project operation by operating in a run-of-river (ROR) mode from April 1 to June 20 annually. Under ROR operation, reservoir levels would be held constant and Project releases would approximately equal Project inflow at all times with no peaking or pulsing. Conservation releases would be increased to 158 cfs from June 21 to October 31 and certain additional water releases would be provided to enhance summer drift-boating opportunities. REMA also requests authorization to lower reservoir pool levels by 1 additional foot in the summer to enhance electricity generation capabilities. Project operation would remain essentially unchanged during the rest of the year.

#### ACTIONS

### FINAL ACTIONS TAKEN UNDER THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT—NPDES AND WQM PART II PERMITS INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35

P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

#### I. Municipal and Industrial Permit Actions under The Clean Streams Law Act (35 P.S. §§ 691.1— 691.1001).

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**NPDES Permit No. PA0062863**, Sewage, **Pike County Commissioners**, 506 Broad Street, Milford, PA 18337. This proposed facility is located in Blooming Grove Township, **Pike County**.

Description of Proposed Action: Renewal of NPDES Permit.

**NPDES Permit No. PA0063517**, Sewage, **Bonham's Nursing Center**, R. R. 1, Box 64, Stillwater, PA 17878. This proposed facility is located in Huntington Township, **Luzerne County**.

Description of Proposed Action: Renewal of NPDES Permit.

**NPDES Permit No. PA0061875**, Sewage, **Foster Township**, 1000 Wyoming Avenue, Freeland, PA 18224. This proposed facility is located in Foster Township, **Luzerne County** and discharges to Pond Creek.

Description of Proposed Action/Activity: Renewal of NPDES Permit.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**NPDES Permit No. PA0084051**, Sewage, **Charles Lupfer**, 280 Airy View Road, Shermansdale, PA 17090-9523. This proposed facility is located in Carroll Township, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to Sherman Creek in Watershed 7-A.

**NPDES Permit No. PA0082996**, Sewage, **Mount Zion School of Ministry**, R. R. 1, Box 7380, Grantville, PA 17028. This proposed facility is located in East Hanover Township, **Lebanon County**.



Description of Proposed Action/Activity: Authorization to discharge to UNT of Indiantown River (via ditch) in Watershed 7-D.

**NPDES Permit No. PA0031631, Twin Valley School District**, 4851 North Twin Valley Road, Elverson, PA 19520. This proposed facility is located in Caernarvon Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to East Branch of the Conestoga River in Watershed 7-J.

**WQM Permit No. 3602410, Sewerage, Ephrata Township Sewer Authority, Goodling Sewer**, 265 Akron Road, Ephrata, PA 17522. This proposed facility is located in Ephrata Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for construction/operation of Goodling Interceptor and Sapon.

**WQM Permit No. 0602403, Sewerage, Rajah Shrine**, P. O. Box 40, Blandon, PA 19510. This proposed facility is located in Maiden Creek and Ontelaunee Township, **Berks County**.

Description of Proposed Action/Activity: An experimental permit for authorization for construction/operation of sewage treatment system.

**NPDES Permit No. PA0013129, Industrial Waste, Carpenter Technology Corporation**, P. O. Box 14662, Reading, PA 19612. This proposed facility is located in Reading City, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Schuylkill River in Watershed 3-C.

**NPDES Permit No. PA0246638, CAFO, James Breneman, Franklin-View Farms**, 2232 Franklin Road, Columbia, PA 17512. This proposed facility is located in Manor Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to operate a 1,073.4-AEU dairy cows and broilers CAFO in Watershed 7-G.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327 3666.*

**WQM Permit No. 1702201, Industrial Waste SIC 3111, Howes Leather Corporation**, 50 Cooper Road, Curwensville, PA 16833. This existing facility is located in Curwensville Borough, **Clearfield County**.

Description of Proposed Action/Activity: Modification to industrial waste—process water treatment plant.

**WQM Permit No. 5902407, Sewerage SIC 4952, Robert Friedman and Deborah Oswald**, 673 Sugartown Road, Malvern, PA 19355. This proposed facility is located in Farmington Township, **Tioga County**.

Description of Proposed Action/Activity: Issuance of a new water quality management permit for a residential sewage plant.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**NPDES Permit No. PA0022292, Sewage, Municipal Authority of the Borough of Ebensburg**, 300 West High Street, Ebensburg, PA 15931 is authorized to discharge from a facility located at Ebensburg Wastewater Treatment Plant, Cambria Township, **Cambria County** to receiving waters named Howells Run.

**NPDES Permit No. PA0026026, Sewage, New Brighton Borough Sanitary Authority**, 610 Third Street, New Brighton, PA 15066 is authorized to discharge from a facility located at the New Brighton Borough Sanitary Authority Sewage Treatment Plant, New Brighton Borough, **Beaver County** to receiving waters named Beaver River.

**NPDES Permit No. PA0027391, Sewage, Upper Allegheny Joint Sanitary Authority**, 320 Fourth Avenue, Tarentum, PA 15084 is authorized to discharge from a facility located at the Upper Allegheny Joint Sanitary Authority STP, East Deer Township, **Allegheny County** to receiving waters named Allegheny River.

**NPDES Permit No. PA0032671, Sewage, Meredith H. Miller**, 2313 Country Place, Export, PA 15632 is authorized to discharge from a facility located at Meadows Mobile Home Part STP, Washington Township, **Westmoreland County** to receiving waters named Pine Run.

**NPDES Permit No. PA0037044, Sewage, Ford City Borough Municipal Sewage Disposal Authority**, P. O. Box 66, Ford City, PA 16226 is authorized to discharge from a facility located at the Ford City Wastewater Treatment Plant, Ford City Borough, **Armstrong County** to receiving waters named Allegheny River.

**NPDES Permit No. PA0091782, Sewage, West Hills Area Water Pollution Control Authority**, Linde Road, R. D. 7, Box 3, Kittanning, PA 16201 is authorized to discharge from a facility located at West Hills Area Sewage Treatment Plant, North Buffalo Township, **Armstrong County** to receiving waters named Allegheny River.

**NPDES Permit No. PA0094064, Sewage, Gary Ritchey and Jay Ritchey**, P. O. Box 277, Ebensburg, PA 15931 is authorized to discharge from a facility located at Keystone Restaurant and Truck Stop STP, Munster Township, **Cambria County** to receiving waters named Noels Creek.

**NPDES Permit No. PA0094757, Sewage, E. J. Holtz Sewage Plant, Inc.**, 633 Logan Boulevard, Altoona, PA 16602 is authorized to discharge from a facility located at Lake Cresson Manor STP, Allegheny Township, **Cambria County** to receiving waters named Clearfield Creek.

**NPDES Permit No. PA0218804, Amendment No. 1, Sewage, James Yeager**, 105 Yeager Road, Hastings, PA 16646 is authorized to discharge from a facility located at James Yeager Small Flow Sewage Treatment Facility, Elder Township, **Cambria County** to receiving waters named unnamed tributary of Brubaker Run.

**NPDES Permit No. PA0219207, Sewage, Lincoln Township Municipal Authority**, P. O. Box 162, Sipesville, PA 15561 is authorized to discharge from a facility located at Sipesville-Quecreek Area Wastewater Treatment Plant, Lincoln Township, **Somerset County** to receiving waters named Quemahoning Creek.

**Permit No. 3202402, Sewerage, John Gnibus**, 19 Chestnut Street, P. O. Box 117, Coral, PA 15731. Construction of SFSTF Single Residence located in Center Township, **Indiana County** to serve Gnibus property.

**Permit No. 5602401, Sewerage, Christopher T. and Carol A. Lasky**, 130 Point Park Lane, Friedens, PA 15541. Construction of a small flow sewage treatment facility at 400 gallons per day located in Jenner Township, **Somerset County** to serve Lasky small flow sewage treatment facility.

**Permit No. 6301404, Sewage, McGuffey School District**, P. O. Box 431, Claysville, PA 15323. Construction of

sewage treatment plant replacement located in Buffalo Township, **Washington County** to serve McGuffey Middle/High School STP.

**Permit No. 6594403-T1-A2**, Sewerage, **Charles H. Allen, III**, P. O. Box 815, Ligonier, PA 15658. Construction of a single residence sewage treatment plant located in Cook Township, **Westmoreland County** to serve the Allen single residence STP.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**NPDES Permit No. PA0210196**, Industrial Waste, **Seneca Landfill, Inc.**, P. O. Box 1080, Mars, PA 16046. This proposed facility is located in Jackson Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Connoquenessing Creek.

**NPDES Permit No. PA0035718**, Industrial Waste, **John Koller and Sons, Inc., Fairview Swiss Cheese**, 1734 Perry Highway, Fredonia, PA 16124. This proposed facility is located in Fairview Township, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Otter Creek.

**NPDES Permit No. PA0238694**, Sewage, **Christopher N. Miller**, 12536 East Lake Road, North East, PA 14628. This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Lake Erie.

**WQM Permit No. 4301202**, Industrial Waste, **John Koller and Sons, Inc., Fairview Swiss Cheese**, 1734 Perry Highway, Fredonia, PA 16124. This proposed facility is located in Fairview Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction of a second SBR and to provide for sludge dewatering.

**WQM Permit No. 4389413-A1**, Sewerage Amendment, **Eckstrom Mobile Home Park**, 1050 Garfield Street, Wadsworth, OH 44281. This proposed facility is located in Hempfield Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the addition of a 10,000 gallon flow equalization tank to an existing sewage treatment plant.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 2002401**, Sewerage, **Jimmie A. Smith**, 9 Mimosa Trail, Ormond Beach, FL 32174. This proposed facility is located in Vernon Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence ground infiltration bed.

**WQM Permit No. 1602403**, Sewerage, **Bryce C. and Betty J. Gray**, 641 Kiser Wagner Road, Shippensburg, PA 16254. This proposed facility is located in Paint Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for a single residence groundwater infiltration.

**WQM Permit No. 4302404**, Sewerage, **Ronald E. Greenawalt**, 234 Reiber Road, Hermitage, PA 16148. This proposed facility is located in Lackawannock Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence discharging to unnamed tributary to West Branch Little Neshannock Creek.

#### NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAS107800	Columbia Gas Transmission 525 Highland Blvd. Coatesville, PA 19320	Pike	Lehman, Delaware and Westfall Townships	Mud Run, CWF UNT to Toms Creek, EV Saucon Creek, CWF Martins Creek, TSF, MF
		Monroe	Smithfield and Middle Smithfield Townships	Little Martins Creek, CWF Jacobs Creek, CWF E. Forks Martins Creek, CWF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Northampton	Lower Saucon, Lower Mount Bethel, Washington and Upper Mount Bethel Townships	Caledonia Creek, CWF Cherry Creek, HQ-CWF Brodhead Creek, HQ-CWF Marshall's Creek, HQ-CWF Bushkill Creek, HQ-CWF, TSW
		Lehigh	Upper Saucon Township	Tom Creek, EV-CWF Hornbecks Creek, HQ-CWF Vandermark Creek, HQ-CWF Cummins Creek, HQ-CWF UNT to Delaware, HQ-CWF Raymondkill, HQ-CWF
PAS10R041	Holy Protection of the Theotokos Greek Orthodox Monastery 378 Laurytown Rd. Weatherly, PA 18255	Luzerne	White Haven Borough	Lehigh River, HQ-CWF

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10E076	Moniteau School District 391 Hooker Road West Sunbury, PA 16061	Butler	Clay and Concord Townships	Slippery Rock Creek CWF Muddy Creek HQ-CWF
PAS103714	Department of Environmental Protection Bureau of Abandoned Mine Reclamation 286 Industrial Park Ebensburg, PA 15931	Lawrence	New Beaver Borough	North Fork Little Beaver Creek HQ-CWF

#### **APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS**

The following parties have submitted: (1) Notices of Intent for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in this Commonwealth; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

#### **List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site

PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lehigh County Upper Saucon Township	PAR10Q166	Upper Saucon Municipal Authority 5500 Camp Meeting Rd. Center Valley, PA 18034	Saucon Creek CWF	Lehigh County Conservation District (610) 391-9583
Lehigh County Washington Township	PAR10Q076-R2	George Beam Chairperson Washington Township Municipal Building P. O. Box 27 Slatedale, PA 18079	Trout Creek CWF	Lehigh County Conservation District (610) 391-9583
Luzerne County Hanover Township	PAR10R255	Earth Conservancy 101 S. Main St. Ashley, PA 18706-1506	Warrior Creek CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Hazle Township	PAR10R253	Municipal Authority of Hazleton P. O. Box 502 Harleigh, PA 18225	Black Creek Watershed CWF	Luzerne County Conservation District (570) 674-7991
Schuylkill County Foster Township	PAR10S836	Foster Township Supervisors 19 Lower Beechwood Pottsville, PA 17901	West Branch Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Maxatawny Township Berks County	PAR10C422	Robert Kempf Kutztown University Foundation P. O. Box 151 15197 Kutztown Rd. Kutztown, PA 19530	Sacony Creek	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Penn Township Berks County	PAR10C424	Ralph Baas Baas & Ward Assoc. Inc. 965 Berkshire Blvd. Wyomissing, PA 19610	Northkill Creek CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
South Heidelberg Township Berks County	PAR10C425	Troy Tranquillo Caron Foundation N. Galen Hall Rd., Box A Wernersville, PA 19565	Manor Creek CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Leesport Borough Berks County	PAR10C433	Fiorino Grande Grande Construction 424 Miller Rd. Sinking Spring, PA 19608	Unnamed tributary to Schuylkill River WWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Lower Paxton Township	PAR10I307	Colonial Country Club 4901 Linglestown Rd. Harrisburg, PA 17112	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mt. Rd. Dauphin, PA 17018 (717) 921-8100

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Tuscarora Township Perry County	PAR105142	Merrill Ross 218 Ross Ln. Millerstown, PA 17062	Buck Wheat Run CWF	Perry County Conservation District P. O. Box 36 31 W. Main Street New Bloomfield, PA 17068 (717) 582-8988
Allegheny County Monroeville	PAR10A519	R. E. Cochran, L.P. 4200 William Penn Highway Monroeville, PA 15146	Thompson's Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Upper St. Clair Township	PAR10A0557	St. Louise DeMarillac 312 McMurray Road Pittsburgh, PA 15241	Brush Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Moon Township	PAR10A561	New Point Realty, Inc. 219 Windsor Drive Coraopolis, PA 15108	Traylor Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAR10A573	Municipality of Monroeville 2700 Monroeville Blvd. Monroeville, PA 15146-2398	Turtle Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAR10A574	GMR Restaurant of Pa, Inc. 5900 Lake Ellenor Dr. Orlando, FL 32859-3330	Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Cambria County Richland Township	PAR101085	Keith A. Ginolesperger H. F. Lenz Company 1407 Scalp Avenue Johnstown, PA 15904	Solomon Run WWF	Cambria County Conservation District (814) 472-2120
Indiana County Burrell and Blacklick Townships	PAR103164	Belden and Blake Corp. 22811 Titusville Road Pleasantville, PA 16341	First Grays Run CWF Millers Run CWF Altmans Run TSF Stewart Run CWF Muddy Run CWF UNTs to Conemaugh River CWF UNTs to Blacklick Creek CWF UNTs to Two Lick Creek CWF Weirs Run CWF Tom's Run CWF Conemaugh River CWF Blacklick Creek TSF Two Lick Creek TSF	Indiana County Conservation District (724) 463-8547
Allegheny County City of Pittsburgh	PAR10A542-1	City of Pittsburgh Department of City Planning 200 Ross Street Pittsburgh, PA 15219	Nine Mile Run TSF	Allegheny County Conservation District (412) 241-7645

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Allegheny County Castle Shannon Borough	PAR10A555	Vernridge LP 1700 N. Highland Road Pittsburgh, PA 15216-1375	Saw Mill Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAR10A562	William Sledobnik 5535 North Montour Road Gibsonia, PA 15044	Breakneck Creek WWF	Allegheny County Conservation District (412) 241-7645
Beaver County Center Township	PAR100297	Columbia Gas Transmission 950 Manifold Road Washington, PA 15301	Alcorn Run WWF Moon Run WWF	Beaver County Conservation District (724) 774-7090
Westmoreland County Derry Township	PAR10X290	Belden & Blake Corporation 28111 Titusville Road Pleasantville, PA 16341	Conemaugh River TSF, CWF, WWF	Westmoreland County Conservation District (724) 837-3271
Westmoreland County Hempfield Township	PAR10X292	Robert Wile R. D. 12 Greensburg, PA 15601	Tributary to Jacks Run WWF	Westmoreland County Conservation District (724) 837-3271
Westmoreland County Salem Township	PAR10X295	Tamas Tanto R. R. 4, Box 121 Greensburg, PA 15601	UNT to Crabtree Creek WWF	Westmoreland County Conservation District (724) 837-3271
Butler County Cranberry Township	PAR10E188	Donald Rodgers 215 Executive Drive Cranberry Township, PA 16063	Tributary to Brush Creek WWF	Butler County Conservation District (724) 284-5270
Jefferson County Corsica Borough	PAR103344	AFI Environmental, Inc. 7815 Buffalo Avenue Niagara Falls, NY 14304	Tributary to Little Millcreek CWF Welch Run CWF	Jefferson County Conservation District (814) 849-7463
Jefferson County Rose Township	PAR103345	Pennsylvania Department of Transportation 2550 Oakland Avenue P. O. Box 429 Indiana, PA 15701-0429	Clement Run CWF Redbank Creek CWF	Jefferson County Conservation District (814) 849-7463
Venango County Cherrytree Township	PAR107018	Pennsylvania Department of Transportation District 1-0 255 Elm Street Oil City, PA 16301	Tributary to Oil Creek CWF	Venango County Conservation District (814) 676-2832

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Monroeville Borough Allegheny County	PAR506108	Chambers Development Co. Inc. 600 Thomas Street Monroeville, PA 15146	UNT of Turtle Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
S. Huntingdon Township Westmoreland County	PAR606121	Flowers Auto Wreckers R. D. 1 Box 15 Smithton, PA 15479	Unnamed feeder to the Youghiogheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Summerhill Township Cambria County	PAR806216	Pennsylvania Department of Transportation 1620 N. Juniata Street Hollidaysburg, PA 16648	Little Conemaugh River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Brokenstraw Township Warren County	PAR228305	Hyma Devore Lumber Mill, Inc. P. O. Box 222 Youngsville, PA 16371	Brokenstraw Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Mifflin Township Lycoming County	PAG044968	Kevin L. Richards 1943 Canoe Run Road Jersey Shore, PA 17740	Canoe Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Anthony Township Montour County	PAG044971	Jonathan Hostetler 82 Gearhart Rd. Turbotville, PA 17772	UNT to Line Branch WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Washington Township Snyder County	PAG044978	Scott L. Carper P. O. Box 299 Freeburg, PA 17827	Susquehecka Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Farmington Township Tioga County	PAG045145	Robert Friedman and Deborah Oswald 673 Sugartown Road Malvern, PA 19355	Thornbottom Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Plum Borough Allegheny County	PAG046144	Daniel G. Shuss 312 Knollview Drive Pittsburgh, PA 15239	UNT of Pierson Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Center Township Indiana County	PAG046254	John Gnibus 19 Chestnut Street P. O. Box 117 Coral, PA 15731	Tributary to Muddy Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Jenner Township Somerset County	PAG046255	Christopher and Carol A. Lasky 130 Point Park Lane Friedens, PA 15541	Roaring Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Lackawannock Township Mercer County	PAG048792	Ronald E. Greenawalt 234 Reiber Road Hermitage, PA 16148	Unnamed tributary to West Branch Little Neshannock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-5*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Green Township Beaver County	PAG056175	Coen Oil Co. 1100 West Chestnut Street Washington, PA 15301	Tributary of Mill Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
German Township Fayette County	PAG056176	Arnold's Service SR 21 and TR 370 McClellandtown, PA 15458	Browns Run to the Monongahela River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-10*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Londonderry Township Chester County	PAG109611	Eastern Shore Natural Gas 417 Bank Lane Dover, DE 19901	Does Run	Department of Environmental Protection Central Office 400 Market Street Harrisburg, PA 17105 (717) 787-8184

**PUBLIC WATER SUPPLY PERMITS**

The Department of Environmental Protection has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER****Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

*Southeast Region: Water Supply Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Permit No. 1501504, Public Water Supply.**

Applicant	<b>Philadelphia Suburban Water Company</b> 762 W. Lancaster Avenue Bryn Mawr, PA 19010
Township	East Brandywine
County	<b>Chester</b>
Type of Facility	PWS



Consulting Engineer CET Engineering Services, Inc.  
1240 N. Mountain Road  
Harrisburg, PA 17112

Permit to Construct June 14, 2002  
Issued

**Permit No. 1502501**, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 W. Hersheypark Drive  
Hershey, PA 17033

Townships Valley and Caln

County **Chester**

Type of Facility PWS

Consulting Engineer Gannett Fleming, Inc.  
P. O. Box 67100  
Harrisburg, PA 17106-7100

Permit to Construct June 20, 2002  
Issued

**Permit No. 0902503**, Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 W. Hersheypark Drive  
Hershey, PA 17033

Township Lower Makefield

County **Bucks**

Type of Facility PWS

Consulting Engineer American Water Works Service Company, Inc.  
1025 Laurel Oak Road  
Voorhees, NJ 08043

Permit to Construct June 24, 2002  
Issued

**Operations Permit** issued to **Pennsylvania American Water Company**, 800 Hersheypark Drive, Hershey, PA 17103, PWS ID 1090074, Lower Makefield Township, **Bucks County** on June 24, 2002, for the operation of facilities approved under Construction Permit 0901504.

*Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Operations Permit** issued to **Great Spring Waters of America, Inc.**, 405 Nestle Way, Breinigsville, PA 18301, PWS ID 3396420, Upper Macungie Township, **Lehigh County**, on May 29, 2002, for the operation of facilities approved under Construction Permit N/A.

**Operations Permit** issued to **Natures Way Pure Water of Lehigh Valley, Inc.**, 310 Stokes Park Road, Bethlehem, PA 18017, PWS ID 3486442, Hanover Township, **Northampton County** on June 7, 2002, for the operation of facilities approved under Construction Permit N/A.

**Operations Permit** issued to **Borough of Jim Thorpe**, 101 East 10th Street, Jim Thorpe, PA 18229, PWS ID 3130043, Jim Thorpe Borough, **Carbon County**, on June 10, 2002, for the operation of facilities approved under Construction Permit N/A.

**Operations Permit** issued to **Borough of Jim Thorpe**, 101 East 10th Street, Jim Thorpe, PA 18229, PWS ID 3130044, Jim Thorpe Borough, **Carbon County**, on June 10, 2002, for the operation of facilities approved under Construction Permit N/A.

**Operations Permit** issued to **Eagle Springs, Inc.**, 88 West Donaldson Street, Tremont, PA 17981-1605, PWS ID 3546441, Hegins Township, **Schuylkill County**, on June 12, 2002, for the operation of facilities approved under Construction Permit 5401504.

*Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 1401505—Innovative Technology**, Public Water Supply.

Applicant **Rebersburg Water Company**  
P. O. Box 157  
Rebersburg, PA 16872

Township Miles Township

County **Centre**

Type of Facility PWS—approval to construct an onsite mixed oxidant gas generation system

Consulting Engineer Herbert, Rowland, & Grubic, Inc.  
474 Windmere Drive  
Suite 100  
State College, PA 16801

Permit to Construct June 24, 2002  
Issued

**Permit No. 6002501**, Public Water Supply.

Applicant **New Berlin Municipal Authority**  
700 Water Street  
P. O. Box 396  
New Berlin, PA 17855-0396

Township and Borough New Berlin Borough and Limestone Township

County **Union**

Type of Facility PWS—approval to construct Well #7, a 325,000 gallon finished water storage tank, raw and finished water transmission mains and modifications to disinfection facilities at Pump House #1

Consulting Engineer J. A. Coukart & Associates  
122 Front Street  
P. O. Box 300  
New Berlin, PA 17855

Permit to Construct June 24, 2002  
Issued

*Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Operations Permit** issued to **Erie City Water Authority**, 340 West Bayfront Parkway, Erie, PA 16507, PWS ID 6250028, City of Erie, **Erie County** on June 25, 2002, for the operation of facilities approved under Construction Permit 7223-T1-MA3.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

#### Plan Disapproval Granted under the Pennsylvania Sewage Facilities Act (35 P.S. §§ 750.1—750.20).

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

## Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Duryea	315 Main Street Duryea, PA 18642	Luzerne

Plan Description: The Department has reviewed the Official Sewage Facilities Plan Update Revision (Plan Update Revision) dated January 2000 (received by the Department on October 26, 2001), with additional documentation dated November 9, 2001 (received by the Department on November 13, 2001), December 17, 2001 (received by the Department on December 18, 2001) and June, 4, 2002 (received by the Department on June 4, 2002) as submitted by David D. Klepadlo & Associates, on behalf of the Borough of Duryea (Borough) and the Duryea Borough Sewer Authority (Authority).

During the review of the Plan Update Revision, the Department must ensure that various, relevant issues are addressed in an adequate and comprehensive manner. The Borough and the Authority have failed to properly address all relevant issues. The reasons for the disapproval are described in the Department's letter addressed to the Borough and Authority dated June 13, 2002.

The Borough and the Authority have a continuing obligation, under section 5 of the Pennsylvania Sewage Facilities Act and the regulations promulgated thereunder, to revise the Official Sewage Facilities Plan of the Borough to address existing and future sewage disposal needs within the planning area outlined in the Plan Update Revision and provide for adequate sewage disposal facilities. The Department requests that the Borough and the Authority immediately take all actions necessary to revise the Borough's Official Sewage Facilities Plan.

**HAZARDOUS WASTE TRANSPORTER LICENSE****Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

*Hazardous Waste Transporter License Renewed*

**Nuway Industrial Services, Inc.**, 1741 Calks Ferry Road, Lexington, SC 29073. License No. **PA-AH 0666**. Effective June 26, 2002.

**Delvecchio Transport and Materials Handling, Inc.**, P. O. Box 480, Dunmore, PA 18512-0480. License No. **PA-AH 0333**. Effective June 26, 2002.

**Berner Trucking, Inc.**, P. O. Box 660, Dover, OH 44622-0660. License No. **PA-AH 0382**. Effective June 25, 2002.

**HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES****Draft permits issued under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southeast Region: Regional Solid Waste Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**PAD085690592. Republic Environmental Systems (PA) Inc.**, 2869 Sandstone Dr., Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Draft permit for modifications to the generic waste acceptance procedures under 25 Pa. Code § 264a.13 issued on June 27, 2002.

**MUNICIPAL WASTE GENERAL PERMITS****Permits Issued under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit No. WMGM010. Moyer Packing Company**, P. O. Box 395, Souderton, PA 18964-0395. Beneficial use of restaurant oil and animal fat, generated at its facility located in Franconia Township, **Montgomery County**, as a dust suppressant. The general permit was issued by Central Office on June 18, 2002.

**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE****Permits Issued under the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101–4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southeast Region: Regional Solid Waste Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Permit No. 101470. US Recycling Inc.**, 6101 Tacony St., Philadelphia, PA 19135-2998, **Philadelphia County**. Permit amendment to authorize phased changes to reconfigure currently authorized waste management activities at the municipal waste transfer facility. The permit was issued by the Southeast Regional Office on June 25, 2002.

*Northcentral Region: Regional Solid Waste Manager; 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 400468. Geisinger Health System**, 100 North Academy Avenue, Danville, PA 17822-2900, located in Mahoning Township, **Montour County**. Permit modification issued for action plan for radiation monitoring. The permit modification was issued by the Williamsport Regional Office on June 17, 2002.

**Permit No. 301315. PPL Electric Utilities Corp.**, 2 N. 9th St., Allentown, PA 18101-1179, Ash Basin No. 1 located in Derry Township, **Montour County**. Permit reissuance by the Williamsport Regional Office on June 5, 2002.

**Permit No. 300987. PPL Electric Utilities Corp.**, 2 N. 9th St., Allentown, PA 18101-1179, Ash Area No. 3 located in Derry Township, **Montour County**. Permit reissuance by the Williamsport Regional Office on June 5, 2002.

**Permit No. 400684. Osram Sylvania Products Inc.**, Hawes Street, Towanda, PA 18848, for Osram Sylvania Processing Facility located in North Towanda Township, **Bradford County**. Permit modification for action plan

for radiation monitoring issued by the Williamsport Regional Office on May 28, 2002.

Persons interested in reviewing a permit may contact John C. Hamilton, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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**Permits Renewed under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 101443. Waste Management of Pennsylvania, Inc.,** R. D. 7, Box 925-A, Altoona, PA 16607, Altoona City, **Blair County**. The permit renewal is for the Altoona Transfer Station. The permit was determined to be administratively complete by the Southcentral Regional Office on June 14, 2002.

Persons interested in reviewing the general permit may contact John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

**Permit No. 602972. Groff's Septic Service,** 99 Ickes Lane, Newville, PA 17241, Upper Mifflin Township, **Cumberland County**. This permit has been revoked at the request of the permittee for a site in Upper Mifflin Township. The permit was revoked by Southcentral Regional Office on June 17, 2002.

## AIR QUALITY

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**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**GP3-28-03041: Independence Recycling** (5531 Canal Road, Valley View, OH 44125) on June 20, 2002, for operation of a portable nonmetallic mineral processing plant under GP3 in Southampton Township, **Franklin County**.

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**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: Mark Wejksznar, Acting New Source Review Chief, (570) 826-2531.*

**40-303-011A: Slusser Brothers Trucking and Excavating Co.** (Evans Asphalt, 125 North Warren Street, West Hazleton, PA 18201) on May 16, 2002, for modifica-

tion of a batch asphalt plant to utilize waste derived liquid fuel (WDLF/recycled oil) in Hanover Township, **Luzerne County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**01-03024: Tucker Industrial Liquid Coatings, Inc.** (407 North Avenue, East Berlin, PA 17316) on June 26, 2002, for construction of three spray paint booths each controlled by a dry panel filter in East Berlin Borough, **Adams County**.

**ER-22-05012: Bethlehem Steel Corp.** (215 South Front Street, Steelton, PA 17113) on June 25, 2002, for emission reduction credits for rail mill heat treatment in Steelton Borough, **Dauphin County**.

**31-05003A: Texas Eastern Transmission, L.P.** (P. O. Box 1642, Houston, TX 77251-1642) on June 25, 2002, for modification to its existing turbine compressor facility known as the Entriaken Compressor Station in Todd Township, **Huntingdon County**. This facility is subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**63-00914A: Bolsan Co., Inc.** (163 Linnwood Road, Eighty-Four, PA 15330) on June 19, 2002, for installation of an adhesive drying system at the Eighty-Four Industrial Park facility in North Strabane Township, **Washington County**.

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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**23-0082: Liberty Electric Power, LLC** (Route 291 and Amtrak/Septa, Eddystone, PA 19022) on June 20, 2002, for operation of a power plant—500 mw in Eddystone Borough, **Delaware County**.

**15-0021: Glasgow, Inc.** (660 Morehall Road, Frazer, PA 19335) on June 24, 2002, for operation of an asphalt plant and quarry in East Whiteland Township, **Chester County**.

**46-0043: Glasgow, Inc.** (Conshohocken Road, Conshohocken, PA 19428) on June 24, 2002, for operation of an asphalt plant and quarry in Plymouth Township, **Montgomery County**.

**23-0001E: Sunoco, Inc. (R and M)** (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on June 26, 2002, for operation of a storage tank in Marcus Hook Borough, **Delaware County**.

**15-301-086: Pet Memorial Services Corp.** (319 Westtown Road, Suite Q, West Goshen, PA 19380) on June 26, 2002, for operation of a cremator for animal remains in West Goshen Township, **Chester County**.

**09-0015A: Rohm and Haas Co.** (Route 413 and State Road, Bristol, PA 19007) on June 27, 2002, for operation of a 1.7 mw/hr emergency generator in Bristol Township, **Bucks County**.

**09-0028C: Fibermark, Inc.** (45 North Fourth Street, Quakertown, PA 18951) on June 27, 2002, for operation of Surface Coater No. 11 in Quakertown Borough, **Bucks County**.

**46-0161: Reading Materials, Inc.** (394 Sanatoga Road, Pottstown, PA 19464) on June 27, 2002, for operation of a batch asphalt plant in Lower Pottsgrove Township, **Montgomery County**.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**38-05025: Lancaster Aluminum Co., Inc.** (24 Keystone Drive, Lebanon, PA 17042) on June 1, 2002, for construction of a secondary aluminum production facility in South Lebanon Township, **Lebanon County**. This source is subject to 40 CFR Part 63, Subpart RRR—Standards of Performance for Hazardous Air Pollutants for Secondary Aluminum Production. This plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**49-317-002: Sensenig Milling Services, Inc.** (R. R. 2, Box 68A, Watsontown, PA 17777) on June 20, 2002, for operation of a rotary bakery waste dryer and associated air cleaning devices (a cyclone collector and a fabric collector operating in series) on a temporary basis until October 18, 2002, and to establish an automatic dryer temperature control system requirement in Lewis Township, **Northumberland County**. This plan approval was extended.

**41-303-009: HRI, Inc.** (1750 West College Avenue, State College, PA 16804) on June 25, 2002, for operation of a batch asphalt plant and associated air cleaning devices (a knockout box and a fabric collector operating in series) to process recycled asphalt pavement (RAP) provided the RAP is not processed through the plant's aggregate dryer and provided the pugmill is controlled by the plant's fabric collector whenever RAP is being processed in the City of Williamsport, **Lycoming County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

#### **Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.**

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Edward Braun, Chief, (215) 685-9476.*

**95-029: Naval Surface Warfare Center Carderock Division, Ship Systems Engineering Station** (5001 South Broad Street, Code 02, Philadelphia, PA 19112-5083) June 28, 2002, for operation of a facility in which activities include the research, development, testing, evaluation, fleet support and inservice engineering for surface and undersea naval ships. The Title V facility's air emission sources include four wall-fired ship boilers each with a heat input between 200 and 385 mmBtu/hr, six boilers each with a heat input less than 10 mmBtu/hr, ten heaters each with a heat input less than 3 mmBtu/hr, five emergency generators, three engine test cells, six diesel engines, ten gas turbines, a paint spray booth, aerosol testing and wood working. The facility's air emissions control devices include a wood working baghouse.

#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.*

**06-03055: Oley Valley Animal Clinic, LTD** (Route 73, Box 109, Oley, PA 19547) on June 24, 2002, for operation of an animal crematory in Oley Township, **Berks County**.

**06-03094: K and L Woodworking, Inc.** (440 North 4th Street, Reading, PA 19601) on June 26, 2002, for operation of a wooden cabinet manufacturing facility in the City of Reading, **Berks County**.

**28-03027: Kurdziel Industries, Inc.** (9473 Lincoln Way West, St. Thomas, PA 17252) on June 26, 2002, for operation of its gray iron casting finishing facility in St. Thomas Township, **Franklin County**.

**67-03041: County Line Quarry** (740 South Front Street, Wrightsville, PA 17368) on June 24, 2002, for operation of a crusher and screening plant at its Wrightsville facility in Hellam Township, **York County**.

#### **Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**46-00173: New Hanover Incineration, Inc.** (3645 Church Road, Perkiomenville, PA 18074) revoked on June 26, 2002, for Natural Minor Operating Permit in New Hanover Township, **Montgomery County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Edward Braun, Chief, (215) 685-9476.*

**95-025: Sea Gull Lighting Products, Inc.** (25th and Wharton Streets, Philadelphia, PA 19145) administratively amended on June 24, 2002, to correctly reference Appendix A for the Test of Solvent Cleaning Procedures for 40 CFR 63 Subpart T.

#### **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21).** The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam

**Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

#### *Coal Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**40930102T2. Mammoth Anthracite, LLC** (P. O. Box 108, Beaver Meadows, PA 18216), transfer of an existing anthracite surface mine operation in Hazle Township, **Luzerne County** affecting 409.0 acres. Receiving stream: none. Application received May 15, 2000. Transfer issued June 25, 2002.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**56703107 and NPDES Permit No. PA0605956. Hoffman Mining, Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit revision to conduct mining activities within 100 feet of SR 601 in Paint Township, **Somerset County**, affecting 863.0 acres. Receiving streams: unnamed tributary to Paint Creek; to Kaufman Run; to unnamed tributaries to Kaufman Run; to Stony Creek; and to Shade Creek classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Cambria/Somerset Water Authority Border Dam. Application received April 19, 2002. Permit issued June 24, 2002.

**11970103 and NPDES Permit No. PA0234450. T. J. Mining, Inc.**, P. O. Box 370, Carrolltown, PA 15722, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Cresson Township, **Cambria County**, affecting 35.5 acres. Receiving streams: Burgoon Run classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 6, 2002. Permit issued June 24, 2002.

**11840112 and NPDES Permit No. PA0607380. C & K Coal Company**, P. O. Box 69, Clarion, PA 16214, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Reade Township, **Cambria County**, affecting 143.0 acres. Receiving streams: Muddy Run to Clearfield Creek to West Branch of the Susquehanna classified for the following uses: WWF. There are no potable water supply intakes within 10 miles downstream. Application received June 7, 2002. Permit issued June 24, 2002.

**56870103 and NPDES Permit No. PA0597953, PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541 permit renewal for continued operation of a bituminous surface, auger and clay removal mine and for discharge of treated mine drainage in Brothersvalley and Somerset Townships, **Somerset County**, affecting 228.0 acres. Receiving streams: unnamed tributaries to Kimberly Run to Coxes Creek; and unnamed tributaries to Glades Creek; and unnamed tributary to Millers Run to Buffalo Creek classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 26, 2002. Permit issued June 25, 2002.

**56010103 and NPDES Permit No. PA0248789, Hoffman Mining, Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541, commencement, operation of a bituminous surface and auger mine and for discharge of treated mine drainage in Shade Township, **Somerset County**, affecting 95.5 acres. Receiving streams: Oven Run and unnamed tributaries to Oven Run classified for the following uses: CWF. The first downstream potable

water supply intake from the point of discharge is Hooversville Water Company. Application received February 22, 2001. Permit issued June 25, 2002.

**32980115 and NPDES Permit No. PA0234982. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001. Permit Revision to add 6.5 acres to the permit area with 2.7 acres extracting coal and for existing discharge of treated mine drainage in Rayne Township and Ernest Borough, **Indiana County**. Total SMP acres goes from 27.5 to 34.0. Receiving streams: McKee Run classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 17, 2001. Permit issued June 25, 2002.

**32010102, TLH Coal Company**, 4401 Pollock Road, Marion Center, PA 15959, commencement, operation and restoration of a bituminous surface mine in East Mahoning Township, **Indiana County**, affecting 83.9 acres. Receiving streams: N/A. This operation will utilize nondischarge alternatives. There are no potable water supply intakes within 10 miles downstream. Application received February 20, 2001. Permit issued June 25, 2002.

#### *Noncoal Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**01740601A1C6. Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201-0809), correction to an existing quarry operation in Cumberland and Mt. Joy Townships, **Adams County** affecting 113.1 acres. Receiving stream: Rock Creek. Application received March 18, 2002. Correction issued June 25, 2002.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**18022801. Clinton County Solid Waste Authority**, P. O. Box 209, McElhattan, PA 17748-0209. Commencement, operation and restoration of a small industrial minerals (soil overburden, river gravels, topsoil piles) permit located in Wayne Township, **Clinton County** affecting 5 acres. Receiving streams: West Branch Susquehanna River, tributary to Susquehanna River. Application received January 8, 2002. Permit issued June 24, 2002.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 (43 P. S. §§ 151—161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**23024007. Explo-Service, Inc.** (P. O. Box 164, 1315 Sheep Hill Road, East Earl, PA 17519), construction blasting in Thornbury Township, **Delaware County** with an expiration date of May 10, 2003. Permit issued June 24, 2002.

**45024037. Rick Rufe Drilling & Blasting** (R. R. 6 Box 63608, Saylorsburg, PA 18353), construction blasting in Hamilton Township, **Monroe County** with an expiration date of August 11, 2002. Permit issued June 24, 2002.

**64024006. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting in Damascus Township, **Wayne County** with an expiration date of May 30, 2003. Permit issued June 24, 2002.

**36024061. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting in Clay Township, **Lancaster County** with an expiration date of January 15, 2003. Permit issued June 24, 2002.

**36024062. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507-0189), construction blasting in Mt. Joy Township, **Lancaster County** with an expiration date of July 15, 2007. Permit issued June 24, 2002.

**48024010. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Bushkill Township and Sams Eddy, **Northampton County** with an expiration date of January 1, 2003. Permit issued June 25, 2002.

**46024034. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in North Coventry Township, **Montgomery County** with an expiration date of June 10, 2003. Permit issued June 25, 2002.

**46024033. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Skippack Township, **Montgomery County** with an expiration date of July 1, 2003. Permit issued June 25, 2002.

**48024012. AMROC** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Washington Township, **Northampton County** with an expiration date of July 16, 2003. Permit issued June 25, 2002.

**48024011. Muschlitz Excavating** (750 Creamery Road, Nazareth, PA 18064) and **Explo-Tech/AEEI** (401 West High Street, Pottstown, PA 19518), construction blasting in Stockertown Borough, **Northampton County** with an expiration date of September 16, 2002. Permit issued June 25, 2002.

**40024012. Doli Construction Corp.** (120 Independence Lane, Chalfont, PA 18914), construction blasting in Hazle Township, **Luzerne County** with an expiration date of June 30, 2003. Permit issued June 25, 2002.

**40024013. Mericle Construction, Inc.** (East Mountain Corp., 100 Baltimore Pike, Wilkes-Barre, PA 18702) and **Keystone Drilling & Blasting Specialist, Inc.** (27 Independence Road, Mountaintop, PA 18707), construction blasting in Hazle Township, **Luzerne County** with an expiration date of August 31, 2002. Permit issued June 25, 2002.

**67024018. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in Dover Township, **York County** with an expiration date of January 30, 2003. Permit issued June 26, 2002.

**36024063. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in Manor Township, **Lancaster County** with an expiration date of January 30, 2003. Permit issued June 26, 2002.

**36024064. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in the City of Lancaster, **Lancaster County** with an expiration date of July 31, 2002. Permit issued June 26, 2002.

**36024065. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction

blasting in Pequea Township, **Lancaster County** with an expiration date of January 30, 2003. Permit issued June 26, 2002.

**52024015. Holbert Explosives, Inc.** (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting in Dingmans Township, **Pike County** with an expiration date of June 16, 2007. Permit issued June 26, 2002.

**45024038. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting in Middle Smithfield Township, **Monroe County** with an expiration date of June 3, 2003. Permit issued June 26, 2002.

**38024016. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting in South Londonderry Township, **Lebanon County** with an expiration date of July 15, 2005. Permit issued June 27, 2002.

**45024039. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting in Hamilton Township, **Monroe County** with an expiration date of June 30, 2006. Permit issued June 27, 2002.

**06024032. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting in Heidelberg Township, **Berks County** with an expiration date of December 31, 2003. Permit issued June 27, 2002.

**67024019. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting in Manchester Township, **York County** with an expiration date of December 31, 2003. Permit issued June 27, 2002.

**48024013. Rock Work, Inc.** (1257 DeKalb Pike, R. D. 2, Blue Bell, PA 19422), construction blasting in Forks Township, **Northampton County** with an expiration date of February 28, 2003. Permit issued June 27, 2002.

**39024011. Schlouch Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Lower Macungie Township, **Lehigh County** with an expiration date of July 19, 2003. Permit issued June 27, 2002.

**46024035. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Montgomery Township, **Montgomery County** with an expiration date of November 2, 2002. Permit issued June 27, 2002.

**45024040. Locust Ridge** (HC 88 Box 282, Pocono Lake, PA 183437), construction blasting in Pocono Township, **Monroe County** with an expiration date of December 26, 2002. Permit issued June 27, 2002.

**35024015. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting in Jefferson Township, **Lackawanna County** with an expiration date of June 9, 2003. Permit issued June 27, 2002.

**45024041. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting in Smithfield Township, **Monroe County** with an expiration date of June 10, 2003. Permit issued June 27, 2002.

**45024042. Explosives Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting in Smithfield Township, **Monroe County** with an expiration date of June 10, 2003. Permit issued June 27, 2002.

**48024014. Rick Rufe Drilling & Blasting** (R. R. 6 Box 63608, Saylorsburg, PA 18353), construction blasting in Washington Township, **Northampton County** with an expiration date of September 5, 2002. Permit issued June 27, 2002.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

*Permits Issued and Actions on 401 Certifications:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Water Management Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E46-910. L.A.D. Developers, Inc.,** P. O. Box 915, Blue Bell, PA 19422, Lower Providence Township, **Montgomery County**, ACOE Philadelphia District.

To place and maintain fill within 0.04 acre of isolated wetland within the Perkiomen Creek Watershed (WWF-MF) to facilitate the construction of a yard and dwelling on Lot 20 of the Warlyga Tract. The site is located approximately 100 feet north of the intersection of Eagleville Road and Highley Road (Collegeville, PA Quadrangle N: 4.00 inches; and W: 7.4 inches).

**E09-832. The Home Depot,** 3096 Hamilton Boulevard, South Plainfield, NJ 07080, Hilltown Township, **Bucks County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed construction of The Home Depot and other various retail outlets. The site is bounded by Central Avenue to the north, Souderton Road to the south, SR 309 to the east and Bethlehem Pike to the west (Telford, PA Quadrangle N: 13.0 inches; W: 7.9 inches) in Hilltown Township, Bucks County.

1. To place and maintain fill in 1,173 linear feet of an intermittent unnamed tributary of Mill Creek (TSF) and 0.17 acre of adjacent wetland. The flows will be routed through 985 linear feet of 60-inch RCP stream enclosure. The relocated channel will rejoin Mill Creek approximately 650 feet upstream from its original confluence.

2. To construct and maintain 58 linear feet of 8-foot by 8-foot box culvert and associated wing walls serving as a road crossing of Mill Creek.

3. To place and maintain 70 linear feet of 36-inch RCP culvert and associated fill material serving as a road crossing of an unnamed, intermittent tributary of Mill Creek to provide access from Central Avenue.

4. To install and maintain an 8-inch sanitary sewer line and a 12-inch DIP water line crossing Mill Creek.

5. To install and maintain a stormwater outfall in an unnamed tributary of Mill Creek.

The permittee proposes to replace 0.17 acre of wetland in accordance with submitted plans.

**E15-682. Philadelphia Suburban Water Company,** 762 Lancaster Avenue, Bryn Mawr, PA 19010-3489, East Whiteland Township, **Chester County**, ACOE Philadelphia District.



To construct and maintain a 16-inch high-density polyethylene water main pipe by directionally drilling the utility line under an unnamed tributary of the Valley Creek (EV) and the existing Church Road culvert. The project site is located along Church Road approximately 1,400 feet south of the Conestoga Road (SR 0401) (Malvern, PA Quadrangle N: 8.55 inches; W: 8.9 inches).

**E09-836. Quakertown Community School District**, 600 Park Avenue, Quakertown, PA 18951, Richland Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain an access road, parking facilities, athletic facilities and stormwater management facilities associated with the construction of the proposed Quakertown Middle School within the 100-year floodplain of Morgan Creek (TSF) and adjacent wetlands (PFO/EM/SS). This permit also includes an Environmental Assessment Approval for impacts associated with activities to construct, operate and maintain a nonjurisdictional dam in and along a wetland adjacent to Morgan Creek. The project will include 0.90 acre of wetland replacement for 0.89 acre of total impact. The site is located just south of the intersection of Fairview Roads and Fairview Avenue (Quakertown, PA USGS Quadrangle N: 11.2 inches, W: 10.0 inches).

*Northwest Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**E40-569. City of Nanticoke**, 15 East Ridge Street, Nanticoke, PA 18634. City of Nanticoke, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of South Branch Newport Creek (locally known as Forge Creek), consisting of a 24.0-foot by 6.0-foot reinforced concrete box culvert with its invert depressed 2.5 feet below stream bed elevation. The project is located along West Union Street, approximately 850 feet upstream of Main Street (SR 3001) (Nanticoke, PA Quadrangle N: 12.6 inches; W: 1.5 inches).

**E40-588. James Kozemchak**, R. R. 3, Box 120, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To modify and maintain an existing dock and attached boathouse in Harveys Lake with work consisting of eliminating an existing 16-foot by 25-foot open area in the dock to restore it to its previous condition. The overall structure extends approximately 48 feet from the shoreline and has a width of approximately 48 feet, with an area coverage of approximately 1,800 square feet. The project is located at Pole No. 258 (Harveys Lake, PA Quadrangle N: 19.1 inches; W: 5.8 inches).

**E39-408. Upper Macungie Township Board of Supervisors**, 8330 Schantz Road, Breinigsville, PA 18031. Upper Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To remove an existing pedestrian bridge; to construct and to maintain an open-bottom concrete culvert, having a span of 14.0 feet and an underclearance of 3.5 feet across Breinig Run; to construct and maintain two prefabricated laminated wooden pedestrian bridges, having spans of 23.67 feet and underclearance of 3.5 feet across Breinig Run; and to construct and maintain a 24-inch reinforced concrete pipe outfall structure in the floodway of Breinig Run. The project is located immediately north of the Breinigsville Road (T858) and Butz Road (SR 3007) intersection (Topton, PA Quadrangle N: 7.0 inches; W: 1.0 inch).

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E10-349, Ridge Development, L.P.**, 3468 Broadhead Road, Monaca, PA 15061. Reilly Site Development, in Adams Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 12.0 inches; W: 7.5 inches).

To fill a total of 0.16 acre of 5 wetland areas (PFO) for the development of a retail/commercial development along the north side of SR 228 approximately 2.3 miles east of I-79 known as the Reilly Site. Project includes creation of 0.32 acre of replacement wetland onsite.

**E25-404A, Erie-Western Pennsylvania Port Authority**, 100 State Street, Suite 205, Erie, PA 16507. Maintenance dredging in Presque Isle Bay and Lake Erie, in the City of Erie, **Erie County**, ACOE Pittsburgh District.

To perform maintenance dredging at facilities owned by the Erie-Western Pennsylvania Port Authority in and along Presque Isle Bay and Lake Erie as listed in the attached "Facility Inventory" in the City of Erie, Erie County. The "Facility Inventory" as of April 4, 2002, is as follows:

1. Chestnut Street launch ramp (Erie North, PA Quadrangle N: 1.25 inches; W: 13.25 inches).
2. West Canal Basin (Erie North, PA Quadrangle N: 2.0 inches; W: 12.2 inches).
3. East Canal Basin (Erie North, PA Quadrangle N: 2.4 inches; W: 12.3 inches).
4. Erie Marine, Inc. dock (Erie North, PA Quadrangle N: 2.5 inches; W: 11.7 inches).
5. The "ore dock" (Erie North, PA Quadrangle N: 2.6 inches; W: 11.3 inches).
6. Erie International Marine Terminal (Erie North, PA Quadrangle N: 4.5 inches; W: 11.0 inches).
7. Captain John E. Lampe Marina (Erie North, PA Quadrangle N: 4.2 inches; W: 10.0 inches).
8. East Avenue launch ramp (Erie North, PA Quadrangle N: 3.6 inches; W: 8.9 inches).
9. Perry's Landing Marina between Piers I and II (Erie North, PA Quadrangle N: 0.7 inch; W: 15.0 inches) and between Piers II and III (Erie North, PA Quadrangle N: 0.7 inch; W: 14.7 inches) totaling approximately 10 acres.
10. Bay Harbour Marina (Erie North, PA Quadrangle N: 1.0 inch; W: 14.4 inches) approximately 6 acres.
11. Commodore Perry Yacht Club (Erie North, PA Quadrangle N: 1.1 inches; W: 14.1 inches) approximately 14 acres.
12. Cherry Street Marina (Erie North, PA Quadrangle N: 1.1 inches; W: 13.9 inches) approximately 9 acres.
13. Walnut Street Marina (Erie North, PA Quadrangle N: 1.3 inches; W: 13.7 inches) approximately 7 acres.
14. Jolly Rodgers Marina (Erie North, PA Quadrangle N: 1.4 inches; W: 13.5 inches) approximately 14 acres.
15. Chestnut Street Marina (Erie North, PA Quadrangle N: 1.6 inches; W: 13.3 inches) approximately 4 acres.
16. Sassafras Street Pier, two locations (Erie North, PA Quadrangle N: 1.9 inches; W: 13.0 inches) and (Erie North, PA Quadrangle N: 2.3 inches; W: 12.9 inches) totaling approximately 6 acres.



17. Holland Street Pier (Erie North, PA Quadrangle N: 2.2 inches; W: 11.9 inches) approximately 3 acres.

18. Grain Elevator Slip (Erie North, PA Quadrangle N: 2.6 inches; W: 11.7 inches) approximately 5 acres.

19. Graving Dock Slip (Dry Dock) (Erie North, PA Quadrangle N: 2.7 inches; W: 11.5 inches) approximately 3 acres.

20. Access area to Grain Elevator Slip, Graving Dock (Dry Dock) Slip and Coal Ore Dock Slip (Erie North, PA Quadrangle N: 3.1 inches; W: 11.6 inches) approximately 10 acres.

**E27-067, Pennsylvania Suburban Water Company—Shenango Valley Division**, 665 South Dock Street, Sharon, PA 16146. Jenks Township Water System—Water Transmission Line, in Jenks Township, **Forest County**, ACOE Pittsburgh District (Marienville East, PA Quadrangle N: 19.2 inches; W: 14.5 inches).

Construct and maintain an 8-inch diameter water transmission line across approximately 250 linear feet of wetland and to tributaries to Scott Run to serve as a water supply to the State Correctional Institution at Forest County and other user along SR 66 northeast of Marienville.

**E42-287, Bradford Township**, 136 Hemlock Street, Bradford, PA 16701. Race Buick Stream Enclosure in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 10.0 inches; W: 3.9 inches).

To remove the existing structure and to construct and maintain a 552-foot long stream enclosure consisting of approximately 237 feet of 84-inch diameter reinforced concrete pipe culvert with concrete headwall and earth berm inlet and 315 feet of 8-foot wide by 6-foot high reinforced concrete box culvert in a tributary to East Branch Tunungwant Creek extending upstream from South Avenue at Race Buick.

**E42-288, University of Pittsburgh Bradford**, 300 Campus Drive, Bradford, PA 16701. Blaisdell Hall Building in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA-NY Quadrangle N: 12.8 inches; W: 6.1 inches).

To grade and fill within the 100-year floodplain of West Branch Tunungwant Creek extending upstream from Dorothy Lane a total distance of approximately 300 feet associated with construction of a stormwater detention basin, sidewalks, parking lot and landscaping for Blaisdell Hall fine arts academic and theater building southeast of the intersection of Campus Drive and Dorothy Lane.

## SPECIAL NOTICES

### BUREAU OF DEEP MINE SAFETY

#### Approval of Request for Variance

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau) has approved Genesis, Inc.'s request for a variance from the requirements of section 242(c) of the Pennsylvania Bituminous Coal Mine Act (act) at the Genesis No. 17 Mine. This notification contains a summary of this request and the basis for the Department's approval. A complete copy of the variance request may be obtained from Allison Gaida at (724) 439-7469 or from the Bureau's website at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

*Summary of the Request:* Genesis, Inc. requested a variance from section 242(c) of the act to allow for the common ventilation of belt conveyor entry with other entries at the Genesis No. 17 Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements set forth in the act.

The basis for the Bureau's approval is summarized as follows:

1. The plan provides for an advanced fire detection and control system consisting of CO monitors and a fire suppression system.
2. The plan provides a separate intake escapeway that will be isolated from the belt conveyor entries. The isolated intake escapeway will be maintained at a higher ventilation pressure than the belt and common entries.
3. The plan provides for the belt and common entries to serve as an alternate intake escapeway.

4. There are significant health and safety benefits associated with allowing entries in common with the belt entry. Safer access is provided to workers performing repair and maintenance work in the belt entry. Improved visual safety inspections are facilitated by open crosscuts.

This approval is limited to a variance from the requirements in section 242(c) of the act requiring that the belt entry is isolated from other entries. All other terms and requirements of section 242(c) of the act shall remain in effect. This approval applies to all areas developed after May 20, 1998. Continued authorization for operation under the approval is contingent upon compliance with the measures described in the plan and the following conditions:

1. Operation, maintenance and calibration of the Pyott-Boone's CO Monitor System shall comply with the manufacturer's recommendation and the Department equipment approval number BOTE 1070-89.
2. The mine operator shall comply with the Mine Safety and Health Administration's approved Fire Fighting and Evacuation Plan.
3. The mine foreman shall notify the Department District Mine Inspector when the point CO monitor system has been installed.
4. The designated surface person responsible for responding to alarms from the CO monitor system should be task trained in the procedures utilized for notifying all affected mine personnel should an alarm occur.
5. The investigating committee shall confirm that the intake escapeway is maintained at a higher pressure than the belt conveyor entry and commons entries.
6. A test button should be installed to allow a daily function check of the pole-mounted alarm system.
7. The pole-mounted visual warning device located on the surface should be a revolving strobe that is clearly visible to the loader operator under all conditions.
8. The pole-mounted audio alarm located on the surface should be noticeably different from back up alarms currently in use on the property and clearly noticeable to the loader operator.

9. Verification by the Department District Mine Inspector that the plan is implemented according to the mine operator's submitted plan and this approval.

#### Plan Revision Approval under the Municipal Waste Planning Recycling and Waste Reduction Act

*Northcentral Region: Waste Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

The Department of Environmental Protection (Department) approved a revision to the Potter County Municipal Waste Management Plan on June 7, 2002.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning this approval should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472; or to Ron Sommers, Regional Planning and Recycling Coordinator, Bureau of Land Recycling and Waste Management at the Regional Office previously noted.

[Pa.B. Doc. No. 02-1207. Filed for public inspection July 12, 2002, 9:00 a.m.]

### **Air Quality Technical Advisory Committee Meeting Cancellation**

The Air Quality Technical Advisory Committee meeting that was scheduled for July 18, 2002, has been cancelled. The next meeting is scheduled for September 19, 2002.

For further information, contact Terry Black at (717) 787-2030.

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 02-1208. Filed for public inspection July 12, 2002, 9:00 a.m.]

### **Application Announcement for the Compost Infrastructure Development Grant Program**

Applications for the 2002 Compost Infrastructure Development Grant Program (Program) are now available

from the Department of Environmental Protection (Department). Under the program, qualified existing and operating for-profit business entities and nonprofit organizations in this Commonwealth will be awarded grants to increase the quantity of yard waste and/or food wastes collected in this Commonwealth. The goal of this program is to increase the quantity of organic materials collected and composted to further increase this Commonwealth's recycling rate. Applications for the grant program will be accepted by the Department until 4 p.m. on October 11, 2002.

The municipal waste stream consists of over 30% organic materials that could be recycled and diverted from the waste stream and managed by composting. These organic waste streams such as yard and food wastes can become a resource to compost facilities that use these materials as feedstocks. Composting of organic wastes helps to lessen the burden on landfill capacity and creates a beneficial soil conditioner that can be marketed.

Applications for the 2002 Program may be obtained by contacting Diana Welker of the Bureau of Land Recycling and Waste Management at (717) 787-7382 or by e-mail at [Diwelker@state.pa.us](mailto:Diwelker@state.pa.us). Applications are also available electronically on the Department's website at <http://www.dep.state.pa.us> (directLINK "Compost").

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 02-1209. Filed for public inspection July 12, 2002, 9:00 a.m.]

### **Availability of Technical Guidance**

Technical guidance documents are on the Department of Environmental Protection's (Department) website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "June 2002 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its non-regulatory documents, as necessary, throughout 2002.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance*

DEP ID: 271-5000-002. Title: Interstate Ozone Transport Reduction Subchapter A. NOx Budget Trading Pro-

gram. Description: This document provides an explanation of nitrogen oxides monitoring and allowance trading requirements for major sources subject to 25 Pa. Code Chapter 145, Subchapter A. Effective Date: July 13, 2002. Contact: Dean Van Orden at (717) 787-9495 or e-mail: dvanorden@state.pa.us.

DEP ID: 383-5500-613. Title: Small Water Systems Consolidation Construction Grant Program. Description: This guidance applies to any public water systems applying for Consolidation Construction Program Grants. Effective Date: July 13, 2002. Contact: Trudy Troutman at (717) 783-3795 or e-mail: trutroutma@state.pa.us.

DEP ID: 383-2300-002. Title: Training Provider Manual for the PA Water and Wastewater System Operator Training Program. Description: This guidance applies to all operators of regulated water and wastewater systems, the State Board of Certification of Water and Wastewater System Operators and the Department. Effective Date: July 13, 2002. Contact: Trudy Troutman at (717) 783-3795 or e-mail: trutroutma@state.pa.us.

DEP ID: 562-2100-001. Title: Blasting Activity Permits and Permits-by-Rule. Description: This document defines the procedures for processing, reviewing and disposing of applications for blasting activity permits. Effective Date: July 15, 2002. Contact: Rick Lamkie at (717) 787-5103 or e-mail: rlamkie@state.pa.us.

DEP ID: 562-2100-00. Title: Alternative Peak Particle Velocity or Airblast Level. Description: This document defines the procedures for reviewing the requests for the Department to establish alternative peak particle velocity or airblast levels. Effective Date: July 15, 2002. Contact: Rick Lamkie at (717) 787-5103 or e-mail: rlamkie@state.pa.us.

DEP ID: 562-2402-501. Title: Blaster's License Suspension and Revocation Procedure. Description: The purpose of this document is to provide a uniform procedure for the suspension and revocation of a blaster's license. Effective Date: July 15, 2002. Contact: Rick Lamkie at (717) 787-5103 or e-mail: rlamkie@state.pa.us.

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 02-1210. Filed for public inspection July 12, 2002, 9:00 a.m.]

### **Public Notice of Proposed Pennsylvania NPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (PAG-13) (MS4s)**

The Clean Streams Law (35 P.S. §§ 691.1—691.101), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) seeks public comments on the Commonwealth's proposed NPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (PAG-13) (MS4s) and related documents (the Notice of Intent (NOI) and the NOI Instructions and other permit compliance materials). The Environmental Protection Agency's Phase II Stormwater Permitting regulation at 40 CFR 122 requires permitting small MS4s. The proposed general permit documents are consistent with Federal and State regulations. The proposed general permit will not be applicable to municipalities that discharge stormwater to

waters designated as "special protection" waters under 25 Pa. Code Chapter 93 (relating to water quality standards). MS4s will need to apply for and comply with an Individual NPDES Permit.

The Department's proposed general permit documents rely upon the Federal regulation and available guidance and are designed to reduce impact of stormwater discharges to the maximum extent practicable. The general permit requires regulated MS4s to develop a stormwater management plan that meets the six minimum control measures: (1) public education and outreach; (2) public participation and involvement; (3) illicit discharge detection and elimination; (4) construction site storm water runoff control; (5) post-construction stormwater management in new development and redevelopment; and (6) pollution prevention and good housekeeping for municipal operations and maintenance. In developing the documents, the Department's strategy is to streamline the permit process and use a more practical approach that minimizes impacts on the regulated MS4s as well as the Department.

The proposed permit document package is available from the Department's Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 783-3795, e-mail address: trutroutma@state.pa.us and on the Department's website at [www.dep.state.pa.us](http://www.dep.state.pa.us) directLINK "participate"; scroll down to "Proposals Open for Comment"; then choose "Other Proposals."

By this announcement, the Department provides the general public, all regulated municipalities and other interested parties with a notice of availability of draft permit and related documents and is seeking public comments on these documents. Copy of this notice and a set of proposed permit documents are being sent to all regulated municipalities in this Commonwealth and the Department encourages these municipalities to review and provide written comment. The Department will consider all input received in making the final permit documents.

Comments must be submitted within 30 days from the date of the publication of this notice in the *Pennsylvania Bulletin*. If there is significant public interest in the general permit or if requested, the comment period may be extended at the discretion of the Department for an additional 15-day period. Only the comments received within the specified period will be considered in the formulation of the final documents for this general permit. Persons wishing to comment should include their name, address and telephone number and a concise comment statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. If significant issues of public interest are raised, the Department may schedule a public meeting or hearing. Written comments should be submitted at the previous address. Comments will also be accepted by e-mail and should be sent to Geoffrey Maduka at [gmaduka@state.pa.us](mailto:gmaduka@state.pa.us) by the applicable deadline. Comments will not be accepted by facsimile or voice mail.

Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Following the specified comment period, the Department will review all submitted comments, prepare a written comments and response document and prepare a final documents package for this permit. An availability notice of the final permit documents will be announced in the *Pennsylvania Bulletin*. Anyone wishing to also receive

a copy of the final documents may request them by contacting the previous addresses or telephone numbers.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-1211. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### State Surplus Property

The Department of General Services, State Surplus Property Division is offering off-road equipment and dump trucks for sale at public auction on August 10, 2002, at 9 a.m. at the Department of Transportation in McConnellburg, Fulton County.

Approximately 60 trucks will be for sale. Other equipment will consist of loaders and dump trucks. The Commonwealth reserves the right to withdraw any or all items from this sale.

For more information, call (717) 787-4085.

KELLY POWELL LOGAN,  
*Secretary*

[Pa.B. Doc. No. 02-1212. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Services for Children with Autism-Related Disorders Meetings

The Department of Public Welfare (Department) has identified a need to develop a new Behavioral Health Rehabilitation Service designed to meet the needs of young children with autism-related disorders. The autism intervention literature often refers to these services as Early Intensive Behavioral Interventions (EIBI) and the Department has elected to adopt this term to describe this service.

To provide interested parties the opportunity to participate in the development of this new service, the Department will hold four public meetings to seek input on the components of EIBI as well as the best way to make EIBI available consistent with sound public policy. The meetings will focus on addressing the needs that exist for young children with autism-related disorders when defining the service, establishing staff qualifications for persons providing EIBI and developing requirements and conditions for coverage and payment. The four meetings will be held from 9:30 a.m. to 1 p.m. at the following locations:

July 22, 2002     Auditorium  
                     State Game Commission  
                     2001 Elmerton Avenue  
                     Harrisburg, PA

July 26, 2002     Multi-Purpose Room  
                     Building #33  
                     Norristown State Hospital  
                     1001 Sterigere Street  
                     Norristown, PA

August 6, 2002     Regional Conference Center  
                     Mayview State Hospital  
                     1601 Mayview Road  
                     Bridgeville, PA

August 9, 2002     Learning Resource Center  
                     Multi-Media Room  
                     Marywood University  
                     Adams Avenue  
                     Scranton, PA

These are open meetings and everyone is invited to attend. To accommodate all persons wishing to participate in the meetings, individuals who wish to attend one of the meetings should inform the Department by calling (717) 772-6512. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Based upon the number of persons attending, the Department may have to limit the time allotted for comments. Therefore, when calling to the Department, persons should also indicate whether they intend to provide comments and have a time preference. Persons who intend to comment at the meeting should bring a written copy of formal comments to the meeting.

Persons who are not able to attend the public meetings may submit their comments in writing to DPW-OMAP, Bureau of Policy Budget and Planning, P. O. Box 8046, Harrisburg, PA 17105. Written comments will be accepted until 4 p.m. on August 9, 2002.

FEATHER O. HOUSTOUN,  
*Secretary*

[Pa.B. Doc. No. 02-1213. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Adjustment of Program Services Revenue Amounts

Under with section 6(a)(5) of the Institutions of Purely Public Charity Act (act) (10 P. S. § 376(a)(5)), the Department of Revenue is required to adjust the annual program service revenue amount used as a benchmark in section 6(a)(1) and (2) of the act for the purpose of asserting a rebuttable presumption.

The annual program service revenue amounts referred to in section 6(a)(1) and (2) of the act shall be increased by 1% as follows:

(1) Effective July 1, 1999—Program Service Revenues—\$10,100,000.

(2) Effective July 1, 2000—Program Service Revenues—\$10,201,000.

(3) Effective July 1, 2001—Program Service Revenues—\$10,303,010.

(4) Effective July 1, 2002—Program Services Revenues—\$10,406,040.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 02-1214. Filed for public inspection July 12, 2002, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Citizens for Pennsylvania's Future (PennFuture) v.  
DEP and Graymont (PA), Inc., Permittee; EHB  
Doc. No. 2002-149-C**

Citizens for Pennsylvania's Future (Penn Future) has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Graymont (PA), Inc., for a facility in Benner and Patton Townships, Centre County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 02-1215. Filed for public inspection July 12, 2002, 9:00 a.m.]

## FISH AND BOAT COMMISSION

**Consideration of Changes to Special Regulation  
Designations**

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream section or lake under special regulations ordinarily will be

published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on July 26 and 27, 2002, the Commission will consider designating the following stream sections as waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2003.

*58 Pa. Code § 65.2. Delayed Harvest Fly-fishing Only (DHFFO) Areas*

The Commission will consider revising the limits of the DHFFO Area on Octoraro Creek, West Branch, Lancaster County, by extending the upstream limit of the existing area approximately 190 yards. If approved, the revised section will be as follows: From a point 30 yards downstream of the SR 0472 Bridge downstream 2.1 miles to near the confluence with the second unnamed tributary below SR 2010, a distance of 2.1 miles.

*58 Pa. Code § 65.6. Delayed Harvest Artificial Lures Only (DHALO) Areas*

The Commission will consider adding the following stream section to the list of DHALO Areas:

County	Water on which located	Description
Adams	Bermudian Creek	From the SR 1009 (Wierman Mill) Bridge downstream to T-619 Greenbrier Lane, a distance of 1.0 mile.

At this time, the Commission is soliciting public input concerning the previous designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, by no later than 4 p.m. on July 25, 2002. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically at [ra-pfbcregs@state.pa.us](mailto:ra-pfbcregs@state.pa.us). A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 02-1216. Filed for public inspection July 12, 2002, 9:00 a.m.]

## HOUSING FINANCE AGENCY

**Housing Coordinator Program; Invitation to Submit Proposals**

The Housing Finance Agency (HFA) invites proposals from entities or individuals seeking funding to create a Housing Coordinator Program (Program). The purpose of the Program is to create a bridge between the Medicaid home and community-based programs (Waiver Programs) and the housing sector within this Commonwealth.

The HFA administers an array of housing funding programs for homeownership, rental housing, emergency

mortgage assistance and related supportive housing programs. A complete list of existing HFA programs, application deadlines and contact information is available at [www.phfa.org](http://www.phfa.org). The HFA is authorized, among other things, to cooperate with and assist other agencies of State government in carrying out the powers and duties vested in it, to accept money from and enter into agreements with these agencies and to provide housing options and opportunities for persons with disabilities or other special needs.

The General Appropriations Act of 2001 provided funding authority to the Department of Public Welfare (DPW), along with matching Federal funds, for the coordination of the availability of local housing opportunities for persons participating in Waiver Programs.

The DPW and the HFA have identified the need to coordinate the Waiver Programs provided by the DPW with the expertise in housing and housing related issues of the HFA to develop a Program to assist persons with disabilities, who are eligible for one or more of the DPW's Waiver Programs, find safe, accessible and affordable housing.

The DPW has agreed to make available to the HFA the sum of up to \$600,000 for this Program over a 3-year period.

#### *Program Objectives*

The HFA is inviting submission of proposals from individuals and/or profit or nonprofit groups seeking funding for the Program. The HFA will fund one of the proposals submitted and reserves the right to not select any of the proposals submitted. The proposals submitted will be reviewed by staff of the DPW and the HFA and the review may take into consideration factors such as the HFA and the DPW in their discretion deem appropriate. The entity eventually selected will work directly with the DPW or one or more of its designated service providers to assist eligible individuals find housing.

#### *Program Criteria*

Proposals submitted should provide a narrative description, which clearly and concisely:

- Identifies the targeted need and population to be served.
- Offers a detailed explanation of how the needs of the identified population will be served (offices, staff and networks of entities in local communities with whom they will work).
- Sets forth a multiyear budget (3 years) for the Program.
- Outlines specific benchmarks and timeframes for performing and accomplishing the goals of the proposal.
- Specifies the amount of funding requested and explains how the funds will be used to create a viable strategy for fulfilling the identified housing needs on a Statewide basis. (Note: These funds may not be used for bricks and mortar, housing development or directly related expenditures to provide housing, such as land acquisition, housing construction or purchase, provision of mortgages, and the like.)
- Identifies who the participants in the Program will be and describes their expertise in providing the services anticipated by the Initiative.

Proposals should delineate and describe the categories of persons being targeted through the Program and the

duration of the funded program. As much detail as possible should be provided regarding the expectations and outcomes of the program and the expected dates for accomplishing the outcomes. A proposal that displays the ability to provide services quickly will be preferred over one that requires a longer "startup" period. The HFA encourages submission of Proposals with participation of entities designated as minority business enterprises, woman business enterprises or disabled business enterprises and which affirmatively further fair housing.

At a minimum, the entity selected must:

- Have a Statewide presence and be capable of providing services, either directly or through affiliated organizations, throughout this Commonwealth.
- Have direct experience in working with local and State housing authorities and other housing providers and programs throughout this Commonwealth.
- Have an understanding of and experience in dealing with local, State and Federal programs that provide assistance for housing, in particular housing programs for persons with disabilities.
- Have an understanding of and experience in dealing with local, State and Federal resources to assist individuals with disabilities to live independently in the community.
- Demonstrate a commitment to individuals with disabilities throughout its organizational structure.
- Have had direct experience and positive results in assisting persons with disabilities find safe, accessible and affordable housing of their choice.
- Have an understanding of all aspects of the DPW Waiver Programs.

The entity selected will be required, among other things, to:

- Designate a full-time person to coordinate the initiative.
- Develop a plan for the coordination of activities throughout this Commonwealth and for the allocation of available funds to local areas.
- Work with the DPW and its service providers in the process of assisting persons with disabilities find housing.
- Meet all reporting requirements established by the DPW and/or the HFA.
- Work with local agencies, private and public organizations and others to develop housing options and opportunities for persons with disabilities.
- Limit the use of funds to assisting individuals find or apply for housing.

All HFA funding is subject to the availability of funding, ongoing program requirements, the housing finance agency law and all other applicable Federal, State and local laws and regulations.

It is expected that one applicant will be selected to provide services and that a contract for services in the form and manner selected by the HFA and the DPW will be entered into to govern the administration of the contract. The selected applicant must comply with all applicable State and Federal laws regarding employment and nondiscrimination and contractor integrity. Evidence of substantial ongoing progress will be required throughout the contract period. The HFA may recapture funds or terminate any commitment or funding reservation in the

event of material deviations from the projected timeframes or if benchmarks are not met.

#### *Application Process*

Applicants should submit four complete copies of the Housing Coordinator Proposal to Lisa J. Yaffe, Director, Housing Services Division, Housing Finance Agency, 2101 North Front Street, P.O. Box 8029, Harrisburg, PA 17105-8029.

Proposals must be received by the HFA no later than 2 p.m. Friday, August 16, 2002.

The proposal/application material will become the property of the HFA. The HFA reserves the right to change, modify, amend or withdraw this request for proposal at any time, without notice, and to amend or modify this program at any time and may determine to discontinue this program at any time. Costs associated with this proposal/application will be the responsibility of the applicant. Questions regarding the program may be submitted to Theresa Yaffe in writing, by means of mail, fax (717) 780-3867 or e-mail at [lyaffe@phfa.org](mailto:lyaffe@phfa.org). Additional information about the program may be made available from time to time at the HFA's website at [www.phfa.org](http://www.phfa.org).

Information regarding funding decisions is expected to be available in September 2002.

WILLIAM C. BOSTIC,  
*Executive Director*

[Pa.B. Doc. No. 02-1217. Filed for public inspection July 12, 2002, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

#### *Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-445	State Board of Podiatry Biennial Renewal Fees	06/27/02

JOHN R. MCGINLEY, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-1218. Filed for public inspection July 12, 2002, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Medical Professional Liability Catastrophe Loss Fund; Changes to the C-416 Claim Reporting Form; Bulletin No. 76

The purpose of this Bulletin is to notify primary carriers and self-insured providers of two changes to the

C-416 Claim Reporting Form that these entities must submit to the Medical Professional Liability Catastrophe Loss Fund (Fund) for Excess, Section 605, Drop Down claims and any other coverage requests.

The C-416 Claim Reporting Form has been revised to include Block "4b." Section 308(b) of the Medical Care Availability and Reduction of Error Act of March 20, 2002 requires a medical facility to provide written notification to a patient affected by a serious event or, with the consent of the patient, to an available family member or designee, within 7 days of the occurrence or discovery of a serious event. The date of notification should be entered in Block "4b" of the C-416 Claim Reporting Form.

The C-416 Claim Reporting Form has also been revised to include Block "6a," which will now require the primary carrier or self-insured provider to indicate the "Severity of the Injury" based upon the following codes:

0—Unknown

1—Emotional Injury Only (upset, fright)

2—Insignificant Injury (small cuts, lacerations, contusions, minor scars, rash, and the like)

3—Minor Temporary Injury (infections, fractures, minor burns, missed or delayed diagnosis and/or recovery without complications)

4—Major Temporary Injury (retained foreign object, other burns, side effects from medication or treatment, brain damage that resolves, infection after surgery, and the like)

5—Minor Permanent Injury (loss of fingers, loss or damage to organs, heart damage with recovery, removal of bowel, loss of one testicle or ovary, and the like)

6—Significant Permanent Injury (deafness, complete or partial loss of limb, eye, one kidney or lung, brachial plexus injury, reflex sympathetic dystrophy which is disabling, and the like)

7—Major Permanent Injury (paraplegia, blindness, loss of two limbs, brain damage, severe and visible disfigurement, permanent colostomy or aseptic necrosis of a joint, a central nervous system injury which is not totally disabling, and the like)

8—Grave Permanent Injury (quadriplegia, severe brain damage, lifelong care or fatal prognosis, cerebral palsy, persistent coma, and the like)

9—Death

If more than one severity code applies to the injuries sustained, all applicable codes should be noted in Block "6a." If no severity code is listed in Block "6a" on the C-416 Claim Reporting Form, the form will be returned to the primary carrier for completion.

Because of the many changes occurring as a result of Act 13 of 2002, the C-416 Claim Reporting Form may be further modified. Copies of the current revised C-416 Claim Reporting Form reflecting the changes noted may be obtained at [www.pamedcat.state.pa.us](http://www.pamedcat.state.pa.us) or by directly contacting the Fund.

This Bulletin is effective immediately.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-1219. Filed for public inspection July 12, 2002, 9:00 a.m.]

## Repeal of Outdated Bulletins and Notices; Notice No. 2002-06

The Insurance Commissioner hereby formally repeals the following Bulletin notices. The notices were issued to provide general information, guidance in advance of the promulgation of a regulation or announce a change in law or Insurance Department practice. The insurance industry is now familiar with the information contained in these notices or the information is outdated and no longer relevant or necessary for the proper regulation of the insurance industry in this Commonwealth.

<i>Notice No.</i>	<i>Title</i>
08/28/1986	Ceding Credit Life/Accident and Health Insurance to Insurers Owned by Agents, Brokers or Creditors
06/16/1987	Ceding Credit Life/Accident and Health Insurance to a Single Producer Owned Captive Reinsurer
08/29/1998	Notice of Requirements to File Forms Under the A&H Filing Reform Act
1993-19	31 Pa. Code Chapter 25, Rules and Procedural Requirements for Insurance Holding Company Systems
1999-01	Limit on Cancellations, Refusals to Renew, Refusals to Write, Surcharges, Rate Penalties and Point Assignments
1999-05	Repeal of Outdated Notices and Bulletins
2000-08	Compliance Date for the Privacy Provisions of the Gramm-Leach-Bliley Act
2000-10	Codified Statutory Accounting Principles Statutory Issue Paper No. 107—Health Care Receivables
2001-05	Per Diem Charges for Financial Examinations Conducted by the Insurance Department (Replaced by 2002-03)
2001-06	Per Diem Charges for Market Conduct Examinations Conducted by the Insurance Department (Replaced by 2002-04)

Questions regarding this notice may be addressed to Peter J. Salvatore, Regulatory Coordinator, 1326 Strawberry Square, Harrisburg, PA 17120, (717) 787-4429. Questions may also be e-mailed to psalvatore@state.pa.us or faxed to (717) 772-1969.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-1220. Filed for public inspection July 12, 2002, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service Without Hearing

**A-121175F2000 and A-125114. Greenridge Oil, Inc. of Pennsylvania and Mountain Energy, LTD.** Application of Greenridge Oil, Inc. of Pennsylvania for approval under 66 Pa.C.S. (relating to public utility code) of: 1) the transfer by sale, leases or other device of certain assets of

Greenridge Oil, Inc. to Mountain Energy, LTD; 2) the right of Mountain Energy, LTD to begin to offer, render, furnish or supply gas service to the public; and 3) the abandonment by Greenridge Oil, Inc. of all services to the public in portions of Greene County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 29, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Greenridge Oil, Inc. of Pennsylvania and Mountain Energy, LTD.

*Through and By Counsel:* J. William Hook, Esquire, Hook and Hook, P. O. Box 792, 189 West High Street, Waynesburg, PA 15370.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1221. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Opinion and Order

Public Meeting held  
May 9, 2002

*Commissioners Present:* Glen R. Thomas, Chairman; Robert K. Bloom, Vice Chairman; Aaron Wilson, Jr.; Terrence J. Fitzpatrick; and Kim Pizzigrilli

*Application of Penny Saver Direct, Inc. t/d/b/a Two Guys & A Truck, for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the Counties of Erie and Crawford, and from points in said counties, to points in Pennsylvania, and vice versa; A-00116710*

### Opinion and Order

*By the Commission:*

Before the Commission for consideration is the Petition for Declaratory Order (Petition) filed on January 14, 2002, by Penny Saver Direct, Inc., t/d/b/a Two Guys & A Truck (Petitioner). The Petitioner requests that we issue an Order finding that its current operations do not constitute a public utility service subject to the Commission's jurisdiction.

By Secretarial Letter dated February 8, 2002, the Petitioner was directed to serve a copy of its Petition on the interested Parties. The Petition was thereafter served on the parties on February 14, 2002, in accordance with 52 Pa. Code § 5.45(b). B.F. Fields Moving & Storage, J.H. Bennett Storage & Carting, Inc., and Piper Moving Systems, Inc., (Protestants) filed a response to the Petition and New Matter on March 5, 2002. On March 20, 2002, the Petitioner filed an Answer to the Protestants' New Matter.

### History of Proceeding

On March 20, 2000, the Petitioner filed an Application for a Certificate of Public Convenience requesting authority to transport household goods in use. An evidentiary hearing was held on September 8, 2000, culminating in the issuance of an Initial Decision on March 15, 2001, denying the Application. The Petitioner filed Exceptions to the Initial Decision on April 2, 2001. The Protestants and Ryan Moving & Storage, Inc., filed Reply Exceptions on April 16, 2001.



By Opinion and Order entered September 7, 2001, we denied the Petitioner's Exceptions. In that Order, we concluded, *inter alia*, that the Petitioner had a propensity to operate illegally, as evidenced by the fact that it had engaged in the intrastate transportation of household goods in use without Commission authorization.

The Protestants note that the Petitioner has a prior history of attempting to deceive this Commission. They maintain that the averments contained in the Petition should be considered suspect and that we should deny the Petition. In the alternative, they request that hearings be held to determine the accuracy of the facts set forth in the Petition.

#### *Discussion*

The Petitioner avers that the reformation of its business operations, following our denial of its Application, has removed its operations from our jurisdiction. The Petitioner requests that we entertain its Petition to resolve the uncertainty of whether its modifications, in fact, did so. Pursuant to Section 331(f) of the Public Utility Code, 66 Pa.C.S. § 331(f), the issuance of a declaratory order is a matter within the Commission's discretion.

Section 102 of the Code, 66 Pa.C.S. § 102, defines "public utilities" as including "[a]ny person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for . . . [t]ransporting . . . property as a common carrier . . ." A "common carrier" is defined as "[a]ny and all persons or corporations holding out, offering, or undertaking, directly or indirectly, service for compensation to the public for the transportation of . . . property . . . between points within this Commonwealth. . . ." (*Id.*). Additionally, a "common carrier by motor vehicle" is defined as:

Any common carrier who or which holds out or undertakes the transportation of . . . property . . . between points within this Commonwealth by motor vehicle for compensation, whether or not the owner or operator of such motor vehicle, or who or which provides or furnishes any motor vehicle, with or without driver, for transportation or for use in transportation of . . . property as aforesaid . . .

(*Id.*).

The Petitioner avers that its intrastate household goods operations consist only of packing, loading, and unloading household goods. Further, the Petitioner contends that since the Commission's Opinion and Order entered September 7, 2001, it has substantially changed its advertisements, its service contract, and its involvement in obtaining transportation for its customers. Therefore, the Petitioner contends that its intrastate household goods operations do not render it a "public utility," as defined in Section 102.

Based solely on the averments contained in the Petition, we cannot conclude that any substantial changes have occurred in these areas. While the Petitioner's activities may no longer require Commission authority, various issues need to be further explored before we can reach such a determination.

First, we note that the Petitioner admits that it continues to advertise its services in local telephone directories under the listing "Movers," without indicating that it only provides labor services in connection with intrastate moves. While the Petitioner indicates that it intends to modify these advertisements in the future, it does not specify what modifications it plans to undertake.

Moreover, the Petitioner contends that because it now holds interstate authority to transport household goods in use<sup>1</sup> and intrastate authority to transport property, excluding household goods in use,<sup>2</sup> its advertisements are not objectionable, and, therefore, do not need modification.

The fact that Petitioner may hold other forms of authority does not entitle it to advertise in a manner that leads the public to believe that it also holds the intrastate authority to transport household goods in use. Further, specific information regarding the modifications that the Petitioner will implement is required in order for us to determine whether its advertisements are misleading to the public.

Next, we note that, although the Petitioner maintains that it has modified its service contract to include only labor services, the Petitioner admits that the service contract, (Petitioner's Exhibit B), and labor agreement, (Petitioner's Exhibit A), contain provisions relating to transportation services. The Petitioner contends that those provisions apply only to the Petitioner's interstate transportation of household goods and should, therefore, be disregarded by us. Due to the Petitioner's commingling of its interstate transportation services with its intrastate services, we are unable to conclude, based solely on the language contained in the service contract and labor agreement, that the Petitioner has substantially changed its operations.

Finally, we find that the Petitioner's averments regarding its involvement in the intrastate transportation of its customers' household goods are also deficient. According to the Petitioner, it now advises its customers that they are solely responsible for securing a vehicle and arranging for a driver to transport their household goods. Further, the Petitioner states that it no longer involves itself in its customers' selection process and does not arrange to pay for vehicles or drivers on their behalf. However, we are troubled by the Petitioner's failure to include any information regarding where its customers obtain their vehicles and drivers. The Petitioner's averments regarding its non-involvement in its customers' selection process do not foreclose the possibility that the Petitioner, or an entity related to the Petitioner, may, in fact, be supplying vehicles and drivers to the Petitioner's customers.

Based on our review of this matter, we conclude that the Petition contains disputed facts and an issue of law on the Commission's jurisdiction. The jurisdictional issue could also have wider ramifications than this proceeding. Consequently, we will hold the Petition for Declaratory Order in abeyance and refer the matter to the Office of Administrative Law Judge for hearings and the issuance of a Recommended Decision; *Therefore*,

#### *It Is Ordered:*

1. That the Petition for Declaratory Order of Penny Saver Direct, Inc., t/d/b/a Two Guys & A Truck be held in abeyance.
2. That the matter be referred to the Office of Administrative Law Judge for the purpose of conducting hearings and the issuance of a Recommended Decision.

<sup>1</sup> The Petitioner states that it obtained a permit from the Federal Motor Carrier Safety Administration at Docket No. MC-415301-P, that authorizes the Petitioner to engage in the transportation of household goods by motor vehicle in interstate or foreign commerce.

<sup>2</sup> The Petitioner received such authority by Certificate of Public Convenience issued on December 4, 2001, at Docket No. A-00116710F0003.

3. That the Secretary's Bureau publish notice of the hearing, including this Opinion and Order, in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,  
Secretary

#### Hearing Notice

This is to inform you that a hearing on the above-captioned case will be held as follows:

*Type:* Initial Hearing on Remand  
*Date:* Thursday, August 15, 2002  
*Time:* 10 a.m.  
*Location:* 11th Floor Hearing Room  
Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, Pennsylvania  
*Presiding:* Administrative Law Judge James D. Porterfield  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
Telephone: (412) 565-3550  
Fax: (412) 565-5692

*Attention:* You may lose the case if you do not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Pennsylvania Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988.

[Pa.B. Doc. No. 02-1222. Filed for public inspection July 12, 2002, 9:00 a.m.]

#### Railroad With Hearing

**A-00116301. Southeastern Pennsylvania Transportation Authority.** Application of Southeastern Pennsylvania Transportation Authority (SEPTA) to modify the roadway known as King of Prussia Road where it crosses under the tracks of the National Railroad Passenger Corporation (Amtrak)-owned Harrisburg line in Radnor Township, Delaware County, to install a new concrete guard barrier along the east side of King of Prussia to connect the inbound and outbound sides of Radnor Railroad Station.

An initial hearing on this matter will be held Tuesday, August 27, 2002, at 10 a.m. in an available hearing room, Philadelphia State Office Building, Broad and Spring

Garden Streets, Philadelphia, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 02-1223. Filed for public inspection July 12, 2002, 9:00 a.m.]

#### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before August 5, 2002, as set forth at 52 Pa. Code § 3.381 (relating to the applications for transportation of property, household goods in use and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

#### Applications of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under each application.

**A-00114985, Folder 2. Cranberry Limousine Services, Inc.** (133 Glenbrook Drive, Cranberry Township, Allegheny County, PA 16066)—persons in limousine service, between points in the Counties of Allegheny, Beaver and Butler.

**A-00119025. Scott F. Lengyel** (601 Bascom Avenue, Pittsburgh, Allegheny County, PA 15212)—between points in the County of Allegheny, and from points in said county, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, 310 Grant Street, Pittsburgh, PA 15219.

**A-00119031. Paul Liberati t/d/b/a A-1 Limo** (3117 Woodridge Drive, Pittsburgh, Allegheny County, PA 15227)—persons in limousine service, between points in Allegheny County. *Attorney:* David M. O'Boyle, 450 Two Chatham Center, Pittsburgh, PA 15219.

**A-00119032. Matthew Charles Scrabis t/d/b/a A Diamond Limousine Service** (903 Fairfield Road, Pittsburgh, Allegheny County, PA 15237)—to transport as a common carrier, by motor vehicle, persons in limousine service, between points in the County of Allegheny, and from points in said county, to points in Pennsylvania, and return.

#### Applications of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as *common carriers* for transportation of *persons* as described under each application.

**A-00108879, Folder 1, Am-A. Jeffries Enterprises, Inc. t/d/b/a A Silver Fox Limousine Service t/d/b/a Silver Fox Limousine Service t/d/b/a Aladdin Limousine Service** (5500 Grand Avenue, Pittsburgh, Allegheny County, PA 15225), inter alia—a corporation of the Commonwealth, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of

persons in limousine service, between points in the County of Allegheny. *Attorney:* Gianni Floro, 510 Third Avenue, Pittsburgh, PA 15219.

**A-00109668, Folder 1, Am-E. Kirk Livery, Inc.** (126 McClellan Drive, Pittsburgh, Allegheny County, PA 15236), inter alia—a corporation of the Commonwealth, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the county of Allegheny. *Attorney:* William A. Gray, 2310 Grant Building, 310 Grant Street, Pittsburgh, PA 15219.

**A-00111153, Folder 1, Am-B. Absolute Limousine Service, Inc. t/d/b/a Absolute Transportation Services** (1115 Farragut Street, Pittsburgh, Allegheny County, PA 15206), inter alia—a corporation of the Commonwealth, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny. *Attorney:* William A. Gray, 2310 Grant Building, 310 Grant Street, Pittsburgh, PA 15219.

**A-00112166, Folder 2, Am-B. Classic Limousine Transportation, LLC** (345 Rouser Road, Coraopolis, Allegheny County, PA 15108), a limited liability company of the Commonwealth—inter alia—persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2382.

**A-00112415, Folder 1, Am-A. Armando Ocando t/d/b/a All Star Limousines** (2307 Harrow Road, Pittsburgh, Allegheny County, PA 15241), inter alia, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny.

**A-00115254, Folder 1, Am-B. Majesty Company, Inc.** (200 Green Tree Road, Munhall, Allegheny County, PA 15120), a corporation of the Commonwealth—persons in airport transfer service, from points in the Counties of Armstrong, Indiana, Washington and Westmoreland, to the Pittsburgh International Airport, in the County of Allegheny, subject to the following condition: That no right, power or privilege is granted to provide service to or from hotels or motels located in the said counties: *So As to Permit* the transportation of persons in airport transfer service, from points in the County of Butler, to the Greater Pittsburgh International Airport, located in Allegheny County.

**A-00117103, Folder 1, Am-A. John J. Valasek t/d/b/a Extreme Limousines** (1532 Leishman Avenue, Arnold, Westmoreland County, PA 15069), inter alia, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny.

**A-00117375, Folder 1, Am-A. Snow White Dove Limousine, Inc.** (312 Wendel Road, Irwin, Westmoreland County, PA 15642), inter alia—a corporation of the Commonwealth—to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219.

**A-00117490, Folder 1, Am-A. Raymond J. Lech t/d/b/a Twilight Limousine Service** (9509 Perry Highway, Pittsburgh, Allegheny County, Pittsburgh, PA 15237)—to transport, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219-3427.

**A-00117748, Folder 1, Am-A. Harper's Transportation, Inc.** (2728 Espy Avenue, Pittsburgh, Allegheny County, PA 15216), a corporation of the Commonwealth—to transport, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219.

**A-00118037, Folder 1, Am-A. Brian P. Haenze t/d/b/a Exotic Limousine Service** (5155 Library Road, Bethel Park, Allegheny County, PA 15102), inter alia, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania: *So As to Permit* the transportation of persons in limousine service, between points in the County of Allegheny.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described the application.**

**A-00110323, Folder 2. John Finnegan t/d/b/a A-1 Limousine** (504 Stanton Avenue, Millvale, Allegheny County, PA 15209)—persons in limousine service, between points in the County of Allegheny, and from points in said county, to points in Pennsylvania, and return.

### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Tommy P. B. Wizard Corp.; Doc. No. A-00102397C02; A-00102397, F. 3*

### Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Tommy P. B. Wizard Corp., respondent, maintains its principal place of business at 5201 Media Street, Philadelphia, PA 19131.
2. That respondent was issued a certificate of public convenience by this Commission on October 31, 1988 at Application Docket No. A-00102397, F. 3.
3. That respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service. Respondent has not reported intrastate revenue for the years 1999, 2000 and 2001.
4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66

Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke Tommy P. B. Wizard Corp.'s Certificate of Public Convenience at A-00102397, F. 3.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### Verification

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Michael E. Hoffman

#### Notice

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

#### Complaint

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Barclay Hotel Associates; Doc. No. A-00103186C02; A-00103186*

#### Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Barclay Hotel Associates, respondent, maintains its principal place of business at 1315 Walnut Street, Suite 1024, Philadelphia, PA 19107.

2. That respondent was issued a certificate of public convenience by this Commission on September 18, 1981 at Application Docket No. A-00103186.

3. That respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service. Respondent has not reported intrastate revenue for the years 1999, 2000 and 2001.

4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke Barclay Hotel Associates' Certificate of Public Convenience at A-00103186.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### Verification

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Michael E. Hoffman

#### Notice

E. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

F. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will

request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

G. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

H. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1224. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-310258F7002 and A-310213F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Delaware Valley, Inc. PA. and TCG Pittsburgh.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Delaware Valley, Inc. PA and TCG Pittsburgh for approval of an interconnection and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Delaware Valley, Inc. PA and TCG Pittsburgh, by its counsel, filed on June 25, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the The United Telephone Company of Pennsylvania d/b/a Sprint and TCG Delaware Valley, Inc. PA and TCG Pittsburgh joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1225. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-310687F7001. Verizon North Inc. and ICG Telecom Group, Inc.** Joint Petition of Verizon North Inc. and ICG Telecom Group, Inc. for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and ICG Telecom Group, Inc., by its counsel, filed on June 14, 2002, at the Pennsylvania

Public Utility Commission (Commission), a Joint Petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and ICG Telecom Group, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1226. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-310125F7000. Verizon Pennsylvania, Inc. and AT&T Communications of Pennsylvania, Inc.** Joint Petition of Verizon Pennsylvania, Inc. and AT&T Communications of Pennsylvania, Inc. for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and AT&T Communications of Pennsylvania, Inc., by its counsel, filed on June 19, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and AT&T Communications of Pennsylvania, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1227. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-310923F7000, A-311103F7000, A-310470F7000, A-310378F7000 and A-310547F7000. Verizon Pennsylvania Inc. and Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications; and Susquehanna Adelphia Telecommunications.** Joint petition of Verizon Pennsylvania Inc. and Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications; and Susquehanna Adelphia Telecommunications.

tions for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications; and Susquehanna Adelphia Telecommunications filed on May 17, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc.; Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications; and Susquehanna Adelphia Telecommunications joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1228. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-311080F7000. Verizon Pennsylvania, Inc. and Cricket Communications, Inc. d/b/a Cricket Wireless.** Joint Petition of Verizon Pennsylvania, Inc. and Cricket Communications, Inc. d/b/a Cricket Wireless for approval of Amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Cricket Communications, Inc. d/b/a Cricket Wireless, by its counsel, filed on June 18, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of Amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Cricket Communications, Inc. d/b/a Cricket Wireless Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1229. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-311157F7000. Verizon Pennsylvania, Inc. and Dark Air Corporation.** Joint Petition of Verizon Pennsylvania, Inc. and Dark Air Corporation for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Dark Air Corporation, by its counsel, filed on May 31, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Dark Air Corporation Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1230. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-311198F7000. Verizon Pennsylvania, Inc. and Flatel, Inc.** Joint Petition of Verizon Pennsylvania, Inc. and Flatel, Inc. for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Flatel, Inc., by its counsel, filed on June 6, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Flatel, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1231. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-310687F7000. Verizon Pennsylvania Inc. and ICG Telecom Group, Inc.** Joint petition of Verizon Pennsylvania Inc. and ICG Telecom Group, Inc. for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and ICG Telecom Group, Inc., by its counsel, filed on June 14, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and ICG Telecom Group, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1232. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-311149F7000. Verizon Pennsylvania, Inc. and NPCR, Inc. d/b/a Nextel Partners.** Joint petition of Verizon Pennsylvania, Inc. and NPCR, Inc. d/b/a Nextel Partners for approval of Amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and NPCR, Inc. d/b/a Nextel Partners, by its counsel, filed on May 29, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of Amendment No. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and NPCR, Inc. d/b/a Nextel Partners Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1233. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Telecommunications

**A-310545F7000. Verizon Pennsylvania, Inc., Nextel Communications of the Mid-Atlantic, Inc. and Nextel West Corporation.** Joint petition of Verizon Pennsylvania, Inc., Nextel Communications of the Mid-Atlantic, Inc. and Nextel West Corporation for approval of Amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc., Nextel Communications of the Mid-Atlantic, Inc. and Nextel West Corporation, by its counsel, filed on May 29, 2002, at the Pennsylvania

Public Utility Commission (Commission), a Joint Petition for approval of amendment no. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Nextel Communications of the Mid-Atlantic, Inc. and Nextel West Corporation Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1234. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Wastewater Service Without Hearing

**A-230073F0006. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval under 66 Pa.C.S. (relating to public utility code) of the right to offer, render, furnish or supply wastewater service to the public in portions of West Sadsbury Township, Chester County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 29, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1235. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Water Service Without Hearing

**A-212385F2000. Mehoopany Water Company, Inc.** Application of Mehoopany Water Company, Inc. for approval under 66 Pa.C.S. (relating to public utility code) of the abandonment of all water service to the public in the Village of North Mehoopany, Mehoopany Township, Wyoming County, by the transfer of all physical plant and customers to the Mehoopany Water Authority.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the

applicant on or before July 29, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Mehoopany Water Company, Inc.

*Through:* Ruth Ann Fowler, Owner, R. D. #2, Box 28A, Mehoopany, PA 18629.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1236. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Water Service Without Hearing

**A-212285F0103. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval under 66 Pa.C.S. (relating to public utility code) of the right to offer, render, furnish or supply water service to the public in portions of Jackson, Lancaster, Connoquenessing and Forward Townships, Butler County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 29, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1237. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Water Service Without Hearing

**A-212285F0104. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval under 66 Pa.C.S. (relating to public utility code) of the right to offer, render, furnish or supply water service to the public in portions of Nottingham, Fallowfield, and Somerset Townships, Washington County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 29, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1238. Filed for public inspection July 12, 2002, 9:00 a.m.]

### Water Service Without Hearing

**A-212285F0105. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval under 66 Pa.C.S. (relating to public utility code) of the right to offer, render, furnish or supply water service to the public in portions of West Sadsbury Township, Chester County.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 29, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1239. Filed for public inspection July 12, 2002, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0234.6, Installation of a Pre-Action System at Pier 40 South until 2 p.m. on Thursday, August 1, 2002. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available July 16, 2002. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

A mandatory prebid job site meeting will be held on July 25, 2002, at 10 a.m. at Pier 40, Columbus Blvd. and Christian St., Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 02-1240. Filed for public inspection July 12, 2002, 9:00 a.m.]

## STATE TAX EQUALIZATION BOARD

### Common Level Ratios

The State Tax Equalization Board (Board) has established a Common Level Ratio for each county in this Commonwealth for the calendar year 2001. The ratios were mandated by Act 267-1982.

The law requires the Board to use statistically acceptable techniques, to make the methodology for computing



ratios public and to certify, prior to July 1, the ratio to the Chief Assessor of each county each year.

The statistical technique which the Board used for the 2001 Common Level Ratio is to determine the arithmetic mean of the individual sales ratios for every valid sale received from the county for the calendar year 2001.

The methodology used is to include every valid sale with a ratio from 1% to 100% and compute a mean. Using this mean as a base, the Board has defined high and low limits by multiplying and dividing this computed mean by four. Using these computed limits, the Board has utilized the valid sales, rejecting those sales which exceed the limits. The resulting arithmetic mean ratio is the ratio which the Board is certifying as the Common Level Ratio for each county for 2001.

There is one exception to this procedure. The original mean ratio for those counties which have a predetermined assessment ratio for 2001 of 100% will utilize valid sales from 1% to 200%.

DANIEL G. GUYDISH,  
*Chairperson*

#### 2001 COMMON LEVEL RATIOS

<i>County</i>	<i>Ratio</i>
ADAMS	37.7
*ALLEGHENY	94.0
ARMSTRONG	42.0
BEAVER	34.6
*BEDFORD	21.5
*BERKS	93.5
BLAIR	9.4
BRADFORD	46.1
BUCKS	3.8
BUTLER	11.1
CAMBRIA	16.1
CAMERON	40.7
CARBON	48.7
CENTRE	41.1
*CHESTER	80.5
CLARION	21.7
CLEARFIELD	20.2
CLINTON	29.1
COLUMBIA	35.7
CRAWFORD	35.3
*CUMBERLAND	98.6
*DAUPHIN	53.0
*DELAWARE	92.6

<i>County</i>	<i>Ratio</i>
ELK	19.1
ERIE	7.9
*FAYETTE	26.0
FOREST	21.8
*FRANKLIN	16.9
FULTON	13.7
GREENE	26.3
HUNTINGDON	18.3
INDIANA	15.1
JEFFERSON	17.9
JUNIATA	13.3
*LACKAWANNA	21.1
*LANCASTER	91.0
LAWRENCE	15.8
LEBANON	8.7
LEHIGH	46.2
LUZERNE	7.9
LYCOMING	67.3
MCKEAN	24.0
MERCER	9.0
MIFFLIN	52.4
MONROE	21.3
*MONTGOMERY	84.6
MONTOUR	9.3
NORTHAMPTON	46.0
NORTHUMBERLAND	13.6
*PERRY	95.7
PHILADELPHIA	31.4
PIKE	27.8
POTTER	10.8
SCHUYLKILL	46.6
SNYDER	17.7
SOMERSET	43.2
SULLIVAN	23.2
SUSQUEHANNA	45.7
TIOGA	30.2
UNION	17.5
*VENANGO	96.9
WARREN	36.5
WASHINGTON	16.5
WAYNE	9.0
*WESTMORELAND	22.7
WYOMING	29.3
*YORK	90.9

\*Counties with a predetermined assessment ratio of 100%

[Pa.B. Doc. No. 02-1241. Filed for public inspection July 12, 2002, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
PA Department of Community and Economic Development  
374 Forum Building  
Harrisburg, PA 17120  
800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division  
787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
Vendor Services Section  
717-787-2199 or 717-787-4705

### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, *"Frequently Asked Questions About State Contracts,"* explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*

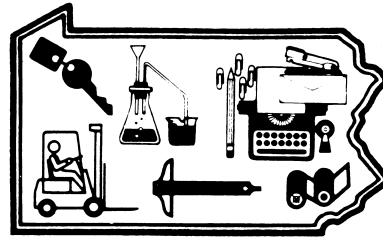
Effective April 15, 2002, the Department of General Services (Department), Bureau of Purchases, will no longer send vendors notices of the availability of invitations for bids or requests for proposals (by fax or other means). Bidding/contracting opportunities will be posted on the Department's website. Vendors who are interested in competing for a particular contracting opportunity with this Commonwealth will be able to download the particular invitation for bids or request for proposals.

The website address for viewing bidding/contracting opportunities and for obtaining copies of invitations for bids and requests for proposals is [www.dgs.state.pa.us](http://www.dgs.state.pa.us). To access the information on this website, vendors must select "Procurement" followed by "Bidding Opportunities."

If a vendor wishing to participate does not have access to a computer, public libraries offer free access to the Internet. Additionally, a vendor can obtain a copy of an individual invitation for bids or request for proposals by calling Vendor Services at (717) 787-2199 or (717) 787-4705, or by visiting us at 414 North Office Building, Harrisburg, PA.

Contact Susan Plecker, Website Manager, at (717) 787-1105 or Ray Cunningham, Vendor Information Section Supervisor, at (717) 787-5862, concerning questions or problems in gaining access to bidding/contracting opportunities information or in locating and downloading invitations for bids or requests for proposals.

KELLY POWELL LOGAN,  
*Secretary*



### Commodities

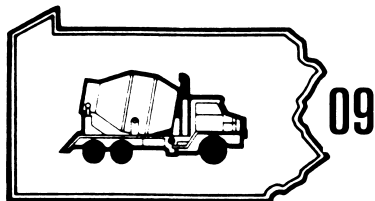
**20882023** To provide eight (8) electronic Infusion Pumps FG6201R to South Mountain Restoration Center for lease for a five year period. Monthly fixed lease rate will include monthly rental and service of units. Bid Opening will be 07/24/02 9:00 a.m. Bid documents NOT available on line. Please call for documents.

**Department:** Public Welfare  
**Location:** South Mountain Restoration Center 10058 South Mountain Road  
 South Mountain, PA 17261  
**Duration:** Time period will be approx. 12/01/02 to 09/30/07.  
**Contact:** Jan Blocker 717-749-4030

**695** Yarway Blowdown Valves (1-1/2" & 2-1/2")

**Department:** Public Welfare  
**Location:** POLK CENTER, P. O. BOX 94, POLK, PA 16342  
**Duration:** September 2002  
**Contact:** Patty Frank, Purchasing Agent 814-432-0229

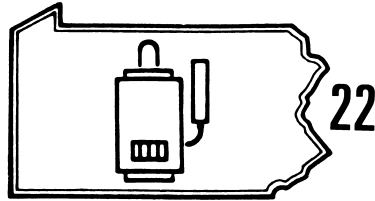
# SERVICES



## Construction & Construction Maintenance

**DGS 513-27** PROJECT TITLE: Renovate Building No. 7. BRIEF DESCRIPTION: Work consists of general renovations to an existing approximately 49,000 SF building, including site work, demolition, general construction, HVAC, electrical and related work. ESTIMATED RANGE: \$2,000,000.00 to \$4,000,000.00. PLANS DEPOSIT: \$120.00 per set payable to: DESMONE AND ASSOCIATES. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed below. Mail requests to: Desmone and Associates, 3400 Butler Street, Pittsburgh, PA 15201, Tel: 412/683-3230. Bid WEDNESDAY, July 31, 2002 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Thursday, July 18, 2002 at 10:00 A.M. at Torrance State Hospital in Building #7, Torrance, PA. Contact: Jimmy DeCecco, Tel: 412/683-3230. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

**Department:** General Services  
**Location:** Torrance State Hospital, Torrance, Westmoreland County, PA  
**Duration:** 212 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit 717/787-6556

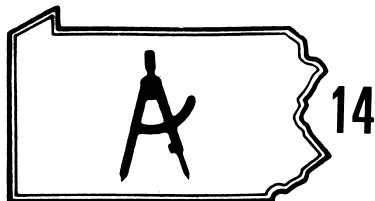


## HVAC Services

**KUFR-0007** Kutztown University is seeking qualified contractors for a unit price contract for work associated with the Emergency Repairs to Underground Utilities and Building Systems (steam, condensate, water, storm and sanitary lines) at Kutztown University. RFP packages are available for a non-refundable fee of \$15.00 from: Barbara Barish, Contract Specialist, Kutztown University, Office of Planning and Construction, P. O. Box 730, Kutztown, PA 19530, Phone: (610) 683-4602. RFP packages are available July 1, 2002 through Pre-proposal. A pre-proposal meeting has been scheduled for July 19, 2002 at 1:00 p.m. in Room OM-26, Old Main Building. Proposals are to be received no later than 2:00 PM, August 1, 2002 in Room 229, Office of Planning and Construction. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** One year open-ended term with four renewal options  
**Contact:** Barbara Barish, (610) 683-4602

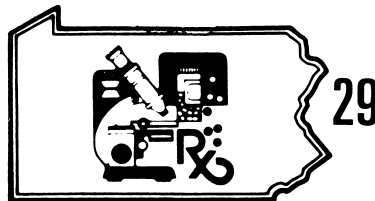
**MI-845** Hash/Bassler TV Studio Feeds. Project consists of providing and  
**Department:** State System of Higher Education  
**Location:** Millersville, PA  
**Duration:** 21 calendar days from the date of the Notice to Proceed  
**Contact:** Jill M. Coleman 717-872-3730



## Engineering Services

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us)

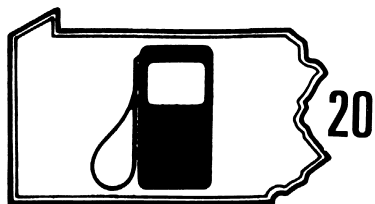
**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



## Medical Services

**sp-20881010** Provide psychological service.

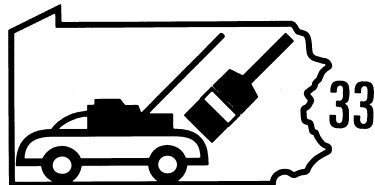
**Department:** Public Welfare  
**Location:** North Central Secure Treatment Unit, 210 Clinic Road, Danville, PA 17821.  
**Duration:** Approximately 8/1/02—6/30/03  
**Contact:** Dee Kuhn, Purchasing Agent (717) 789-5509



## Fuel Related Services

**LBLA 0878** RENTAL OF OIL FIRED BOILER AND OIL TANK. FAX REQUESTS FOR BID PACKAGE TO 570-372-5675.

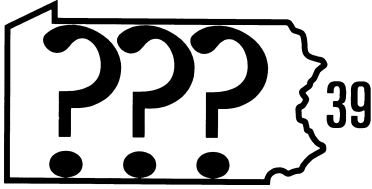
**Department:** Public Welfare  
**Location:** LAURELTON CENTER, ROUTE 45, LAURELTON, PA 17835  
**Contact:** PATTI KREAMER 570-372-5671



## Property Maintenance

**HUN 382** Radio repair maintenance, installation and service for the State Correctional Institution at Huntingdon.

**Department:** Corrections  
**Location:** State Correctional Institution at Huntingdon, 1100 Pike St., Huntingdon, PA 16654  
**Duration:** 8/01/02 to 6/30/03  
**Contact:** Robert Jessell Pur Agt 814-643-2400



### Miscellaneous

**RFP #PBPP-25-01-03SW** The PA Board of Probation & Parole (PBPP) is soliciting proposals to provide contracted, intensive outpatient sex offender treatment services with polygraph examination to individuals paroled by the PBPP from correctional facilities or from a Department of Corrections Community Corrections Center or released on special probation or special parole to the PBPP's supervision. These services are to be provided immediately upon release in a community-based setting for outpatient care. Intensive outpatient sex offender treatment services are to include assessment/evaluation, prescriptive program planning, individual and group treatment, and initial polygraph examination. Services are to be provided in the Scranton and Williamsport geographic districts of the Commonwealth of Pennsylvania only. Vendors may submit proposals for one or both locations. This is a reissuance of RFP #PBPP-25-01-03.

**Department:** Probation and Parole Board

**Location:** (2) Geographic Districts of the Commonwealth of Pennsylvania: Scranton & Williamsport

**Duration:** Contract(s) will be awarded for a minimum of one year to a maximum of three years and are contingent upon the receipt of federal funds.

**Contact:** Michelle Flynn 717-787-8879

[Pa.B. Doc. No. 02-1242. Filed for public inspection July 12, 2002, 9:00 a.m.]

## DESCRIPTION OF LEGEND

- |  |   |
|--|---|
| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

KELLY POWELL LOGAN,  
*Secretary*

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>	<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
2540-02	06/11/02	American Road Machinery	\$201,968.00	5850-01 sup#8	06/27/02	Daly Computers	30,000.00
2540-02	06/11/02	Henderson Mfg.	153,701.00	5850-01 sup#8	06/27/02	Eplus Technology	20,000.00
2540-02	06/11/02	IMS Supplies/Industrial Motor Supply	139,369.00	5850-01 sup#8	06/27/02	NEC Business Network Solutions	10,000.00
2540-02	06/11/02	J & J Truck Equipment	232,645.15	5850-01 sup#8	06/27/02	PC Network	10,000.00
2540-02	06/11/02	Lancaster Truck Bodies	263,697.00	5850-01 sup#8	06/27/02	Perfect Order	10,000.00
2540-02	06/11/02	Tenco U S A	1,591,931.00	6810-09	07/01/02	Somers Chemical	5,425.00
2540-02	06/11/02	U S Municipal Supply	224,931.00	6810-09	07/01/02	The Metro Group	24,810.00
2540-02	06/11/02	Valk Mfg.	58,881.00	7350-05 rip#2	06/19/02	United Restaurant Equipment	50,000.00
2540-02	06/11/02	Walsh Equipment	88,355.00	7920-07	06/10/02	Calico Industries	38,019.00
2540-04	07/01/02	Cleveland Brothers	1,016,066.00	8305-03 sup#1	06/26/02	Aspen Licensing International	103,485.00
2540-04	07/01/02	Furnival Machinery	853,971.00	8305-03 sup#1	06/26/02	J Weinstein & Sons	106,050.00
2540-04	07/01/02	Groff Tractor & Equipment	380,190.00	8305-03 sup#1	06/26/02	Tabb Textiles	100,500.00
2540-04	07/01/02	Highway Equipment/Supply	736,660.00	8540-01 rip#1	06/28/02	XpedX	32,280.00
2540-04	07/01/02	L B Smith	373,181.00	8920-06	06/25/02	Berkshire Dairy & Food Products	960,000.00
2540-04	07/01/02	Plasterer Equipment	1,216,392.00	8920-06	06/25/02	Bernard Food Industries	960,000.00
5810-03 sup#13	06/26/02	Avaya	5,000.00	8920-06	06/25/02	Edu Care Services	960,000.00
5810-03 sup#13	06/26/02	Software House International	5,000.00	8920-06	06/25/02	Good Source	960,000.00
5810-03 sup#13	06/26/02	Synergy Software Technologies	5,000.00	8920-06	06/25/02	Feeser's	960,000.00
5850-01 sup#8	06/27/02	Alcatel Internetworking	10,000.00	8920-06	06/25/02	Gage Food Products	960,000.00
5850-01 sup#8	06/27/02	Anixter	30,000.00	8920-06	06/25/02	Karetas Foods	960,000.00
5850-01 sup#8	06/27/02	Communications Supply	170,000.00	8920-06	06/25/02	Lance	480,000.00
5850-01 sup#8	06/27/02	Computer Integration Group	10,000.00	8920-06	06/25/02	Mon-Valley Bakery Supply/Zilka & Co	960,000.00
				8920-06	06/25/02	Reinhart Food Service—Greenburg	960,000.00

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Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
8920-06	06/25/02	Reinhart Food Ser- vice— Northum- berland	960,000.00	9985-21	06/11/02	Rachel B. Coppelli CI/CT	30,000.00
8920-06	06/25/02	Somerset Industries/ Somerset Farms	960,000.00	9985-21	06/11/02	Shirley Bas- sett CSC	30,000.00
8920-06	06/25/02	Sysco Foods/ Pittsburgh	960,000.00	9985-21	06/11/02	Sign Lan- guage Pro- fessional Services	30,000.00
8920-06	06/25/02	Sysco Foods/ Central PA	960,000.00	9985-21	06/11/02	Tara A. Burkey CT	30,000.00
8920-06	06/25/02	Tova Indus- tries	960,000.00	1004222-01	06/10/02	Praxair	24,406.80
8920-06	06/25/02	W S Lee & Sons	960,000.00	1006112-01	06/17/02	Westpointe	73,475.00
8920-06	06/25/02	Voortman Cookies	480,000.00	1010312-01	07/01/02	Air Cleaning Systems	51,924.00
8920-06	06/25/02	Behrhorst 7 Crawford/ Clover Hill Foods	960,000.00	1011112-01	07/01/02	Blanski	39,894.00
8920-06	06/25/02	Unique Bev- erage Con- cepts	480,000.00	1012222-01	07/01/02	Environmen- tal Fabrics	26,900.00
8960-01	07/01/02	Crystal Springs	154,680.00	1013202-01	06/24/02	Ludlum Mea- surements	15,885.00
9150-03 rip#1	06/19/02	Paul H. Kruggel	69,982.50	1015812-01	06/10/02	Topcall	39,811.00
9905-08 sup#1	06/19/02	Correctional Industries	43,880.00	1017112-01	07/01/02	Powerhouse Equipment	438,575.00
9905-13	06/26/02	Correctional Industries	119,210.05	1022182-01	06/10/02	Five Star In- ternational	48,677.00
9985-21	06/11/02	360 Transla- tors Inter- national	30,000.00	1042152-01	07/01/02	Power- Draulics	15,640.00
9985-21	06/11/02	Arnine Cumsky Weiss CSC	30,000.00	1044152-01	07/01/02	Continental Flooring	25,317.50
9985-21	06/11/02	Charles M. Snyder CSC	30,000.00	1196721-01	06/24/02	Farfield/ Encompass Electrical & Mechanical	133,000.00
9985-21	06/11/02	David Curtis CT	30,000.00	1203211-01	06/10/02	Mobility Transporta- tion Ser- vices	32,279.00
9985-21	06/11/02	Jael L. Howard CT	30,000.00	1241071-02	06/24/02	Consolidated Electrical	22,740.00
9985-21	06/11/02	Language Service As- sociates	30,000.00	1248111-01	06/17/02	Vugate	24,829.00
9985-21	06/11/02	Linda A. Lee CI	30,000.00	1271121	06/24/02	Rohrer Bus Sales	33,900.00
				1275111-01	06/17/02	Rohrer Bus Sales	85,297.00
				1283381-01	06/17/02	Pitts Enter- prises	21,939.00
				1284381-01	06/17/02	Five Star In- ternational	66,187.00
				1285381-01	06/17/02	Cumberland Truck Equipment	63,759.00



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1292111-01	06/24/02	Mobility Transporta- tion Ser- vices	63,958.00	1390111-02	06/24/02	W Lewis Frame N Door	15,359.50
1320221-01	06/10/02	BOC Gases	63,349.92	1390111-03	06/24/02	Wacor Elec- tric	471.50
1329351-01	06/10/02	Ekto Mfg.	50,340.00	1391151-01	07/01/02	EPS Associ- ates	21,234.00
1330351-01	07/01/02	Environics	24,408.00	1392111-01	06/24/02	Pan American Leathers	228,000.00
1332131-01	06/17/02	Nes Equipment/ Albany Ladder	61,196.00	1397111-01	06/17/02	J Weinstein & Sons	44,850.00
1336151-01	07/01/02	Office Basics	92,129.70	1398111-01	07/01/02	Howells Glass	25,028.00
1336151-02	07/01/02	Independence Business Supply	7,926.00	1402111-01	07/01/02	Quality Me- chanical Services	33,777.00
1336151-03	07/01/02	Linsco	7,960.00	1403341-01	06/24/02	Roscor Corp	89,480.00
1349231-01	06/24/02	Whiteside Chevy/Olds	64,266.00	1405341-01	06/10/02	Ecops	68,735.68
1350231-01	06/24/02	Hondru Ford/ Phillips Ford	133,334.00	1406111-01	07/01/02	Team Supply	47,386.50
1352111-01	06/24/02	Allcity Label & Tag	8,250.00	1410351-01	07/01/02	Gayle Corp	23,633.00
1352111-02	06/24/02	Crown Em- blems	8,500.00	1412111-01	06/24/02	Environmen- tal Remedia- tion & Re- covery	47,560.00
1356211-01	07/01/02	Leibensperger Transporta- tion	43,756.00	1413111-01	06/17/02	Baase Co.	47,931.00
1357381-01	07/01/02	Five Star In- ternational	177,944.00	1414151-01	06/24/02	Airbourne Contamina- tion Identifi- cation As- soc	50,478.76
1357381-01	06/17/02	Five Star In- ternational	177,944.00	1417111-01	07/01/02	Quality Me- chanical Services	38,700.00
1360211-01	07/01/02	Modern Equipment Sales	72,925.00	1419111-01	07/01/02	Tonas Graph- ics	41,481.00
1361381-01	06/10/02	Mobile Lifts	34,921.00	1423211-01	07/01/02	Hertz Supply	42,843.96
1364151-01	07/01/02	Central Poly	43,800.00	1424071-01	06/10/02	I Am Your Child	248,551.20
1371131-01	06/24/02	P & W Con- struction	22,175.00	7314700-01	06/10/02	Exl Safe	45,000.00
1377111-01	06/17/02	Alpha-Omega Shelving	17,921.60	8141960-01	06/10/02	IA Construc- tion	1,032,236.48
1378111-01	07/01/02	Frey Lutz	40,325.00	8153390-01	07/01/02	Institutional Specialties	40,000.00
1382211-01	06/24/02	Frank Par- sons	43,091.60	8170330-01	06/10/02	Bridge Tech- nologies	83,160.00
1384111-01	07/01/02	JWC Envi- ronmental	21,468.00	8188080-01	07/01/02	Virtual Media Integration	47,890.00
1387111-01	07/01/02	Alstom Power	110,100.00	8251290-01	07/01/02	Groff Tractor/ Equipment	52,800.00
1388111-01	07/01/02	Meadville Plate Glass	50,400.00	8251580-01	06/17/02	Shaull Equip- ment	137,500.00
1390111-01	06/17/02	Southern Lock & Supply	2,692.55				

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<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>	<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
8251620-01	07/01/02	Energy Absorbtion Systems	438,480.00	8506220-01	06/10/02	Thoro System Waterproof- ing	24,864.00
8254040-01	07/01/02	Stephenson Equipment	88,845.00	8506220-02	06/10/02	Valley Supply	15,595.00
8254170-01	06/24/02	Stephenson Equipment	34,753.00	8506300-01	06/17/02	Terre Hill Concrete Products	75,265.00
8254230-01	0624/02	Five Star In- ternational	35,668.00	8506310-01	07/01/02	Terre Hill Concrete Products	70,100.00
8254280-01	07/01/02	Five Star In- ternational	171,370.00	8506320-01	06/17/02	Terre Hill Concrete Products	109,821.00
8254370-01	07/01/02	Lafarge Road Marking	839,140.00	8506410-01	07/01/02	Component Technology	313,880.00
8254370-01	06/17/02	Lafarge Road Marking	839,140.00	8506350-01	06/17/02	Terre Hill Concrete Products	49,000.00
8506190-01	07/01/02	Nussbaum Equipment	44,965.00			KELLY POWELL LOGAN, <i>Secretary</i>	
8506190-01	06/17/02	Nussbaum Equipment	44,965.00				
8506200-01	06/17/02	Tri-Boro Con- struction Supplies	7,945.00				
8506200-02	06/17/02	T E A M Sup- ply	15,750.00				

[Pa.B. Doc. No. 02-1243. Filed for public inspection July 12, 2002, 9:00 a.m.]





